

**JOURNAL**  
**OF THE**  
**House of Representatives**  
**OF THE**  
**STATE OF ALABAMA**  
**REGULAR SESSION**  
**OF 1984**

**HELD IN THE CITY OF MONTGOMERY, ALABAMA**  
**COMMENCING TUESDAY, FEBRUARY 7, 1984**



**Vol. 2**

**WITH AN INDEX PREPARED BY THE**  
**CLERK OF THE HOUSE**

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ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), and Zoghby.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-fourth legislative day and finds the same to be correct.

JIMMY CLARK,  
Chairman.

On motion of Rep. Clark (J), the reading at length of the Journal of the House for the twenty-fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-fourth legislative day was approved.

BILLS ON SECOND READING

Rep. Campbell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 398. To amend Section 12-15-34, Code of Alabama 1975, so as to provide that a child 14 or more years of age may be transferred by the juvenile court for criminal prosecution as an adult for any crime; to provide that the finding of probable cause at the transfer hearing in the juvenile court may preclude the necessity for a further probable cause hearing in the criminal court; to provide that the criminal court may exercise any authority over the child, once transferred, that is otherwise applicable to adult offenders; to provide that transfer to the criminal court terminates jurisdiction of the juvenile court over such child with respect to any pending or subsequent criminal acts upon conviction in the adult court; and, to provide an effective date.

Rep. Campbell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 523. (With Substitute): To amend Section 6-5-332, Code of Alabama 1975, which exempts certain persons who render emergency assistance from civil liability, so as to include persons holding current valid cardiopulmonary resuscitation certificates.

Rep. Campbell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 618. To amend Sections 32-13-1 through 32-13-4, Code of Alabama 1975, so as to provide for and regulate further the sale of an abandoned motor vehicle, specifically providing further for notice to the owner, secured parties and lienholders of the intended sale of such vehicle and authorizing and providing for a court hearing to determine whether the vehicle is abandoned and should be sold.

Rep. Campbell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 787. (With Substitute): To amend Section 26-10-8, Code of Alabama 1975, regulating adoptions to further clarify placing children for adoption by unlicensed persons or organizations.

Rep. Campbell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 264. To amend the definitions contained in § 13A-10-30 [in the criminal code article on escape and related crimes] to provide that the failure of an inmate to remain within the limits of his confinement extended pursuant to any work release, trustee, furlough, leave, or pass program or to return within the time prescribed pursuant to such program to the place of confinement is an escape from custody and punishable as such; to provide that the restraint or detention aspect of custody for purposes of escape can be either actual or constructive; to define escape; to specify the conduct to which this act applies; to repeal all conflicting laws or parts of laws insofar as they apply to conduct occurring after the effective date of this act; and to provide an effective date.

S. 312. To provide further for venue with respect to filing petitions to modify divorce decrees relating to child custody and visitation rights.

Rep. Blake, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 900. To provide for certain automatic reversion of certain mineral rights to real property when the lessee of such rights has violated an agreement to keep all ad valorem taxes paid current on such property.

S. 395. To amend Section 36-22-16 of the Code of Alabama, 1975, to provide for the compensation of the sheriffs of the several counties in this state.

H. 898. To amend Section 17-4-156, Code of Alabama 1975, so as to standardize all activities of the various boards of registrars so that there will

be conformity throughout the state in number of days allocated, number of members authorized and reimbursement for services.

S. 97. To amend Section 36-21-9, Code of Alabama 1975, which provides that honorably retired law enforcement officers are eligible to carry handguns, so as to include retired bailiffs within said eligibility.

H. 945. To require persons who have any financial interest in any hazardous waste disposal site in the state of Alabama to file an annual statement of such financial interest with the Secretary of State and to provide penalties for the noncompliance with this act.

H. 834. To amend Sections 34-7-1, 34-7-4, 34-7-11 and 34-7-40, Code of Alabama 1975, which provide for and regulate the practice of cosmetology, so as to provide further for said practice.

Rep. Adams, Chairman of the Standing Committee on Commerce and Industrial Development, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 93. To provide for and define an additional income tax deduction for a qualified charitable contribution and for a qualified research contribution of certain personal property which is computer, scientific or technological equipment, as defined to any public educational institution, grades 1-12, 2-year and 4-year institutions of higher education, vocational and technical schools and colleges; to prescribe the conditions and calculations for such deductions; to provide that the same property does not qualify for more than one deduction; and to provide that such deductions are not applicable for individuals.

H. 838. To amend Section 41-19-11 of the Code of Alabama, 1975, as amended, relating to performance reports for all public institutions of higher education, so as to require certain student follow-up surveys as a part of the performance report.

Rep. Escott, Vice-Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 933. (With Amendment): To amend Section 24-1-24, Code of Alabama 1975, relating to the municipal housing authorities so as to provide further that at least one commissioner shall be a tenant of the municipal housing authority.

Rep. Escott, Vice-Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 371. To amend Section 36-22-63, Code of Alabama 1975, relating to the purchase of prior service credit for participation in the supernumerary sheriff's program, so as to extend the time within which such a purchase may be made.

Rep. Laird, Chairman of the Standing Committee on Small Business, reported that said Committee in session had acted on the following bills and

ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 16. To require that contracts entered into by the State of Alabama must be executed in a timely manner.

S. 20. To permit small businesses and individuals to recover the costs of defending against a state agency when they prevail in court upon appeal.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 890. (With Amendment): An Act, to alter, re-arrange and extend the boundaries and corporate limits of the City of Pelham, Alabama, so as to incorporate certain territory as described herein.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 908. To provide for an expense allowance for the Sheriff of Calhoun County, Alabama.

H. 909. Relating to the 3rd Judicial Circuit of Alabama; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

H. 911. Relating to Coffee County; providing for a supplement to the compensation of the circuit clerk in Coffee County beginning October 1, 1985, and payable from the general fund of the county.

H. 929. Relating to Bullock County; providing for the compensation of the Judge of Probate retroactively to January 1, 1983.

H. 930. Relating to Bullock County; to provide for a part-time secretary-office manager for the county legislative delegation; to provide office space for said official.

H. 931. To propose an amendment to the Constitution of Alabama of 1901, to extricate the judge of probate in Macon County, Alabama, from a certain age restriction on eligibility to hold such office.

The above bill was read a second time at length as required by the Constitution.

H. 932. Relating to Bullock County; to legalize the sale of draft or keg beer or malt beverages.

H. 950. To provide for the City of Weaver in Calhoun County, a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the city's defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

Rep. Turner, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report,

and they were severally read a second time and placed on the Calendar, to-wit:

H. 547. To amend Section 1 of Act No. 319, H. 593, of the 1976 Regular Session (Acts 1976, p. 353), which provided for a mosquito, rodent and other vector control ad valorem tax in Mobile County, so as to provide further for certain exemptions from such tax.

H. 835. Relating to Mobile County; providing that any political subdivision or agency of such subdivision within the county shall solicit competitive bids when leasing any warehouse, storage, shop, office space or land from or to any individual, association, corporation, partnership or other business entity and prescribing certain bid procedures.

H. 913. Relating to the Mobile County Solid Waste Management Program and the residence, appointment and number of the Solid Waste Management Advisory Board; amending Section III of Act No. 81-450, H. 825, of the 1981 Regular Session (Acts 1981, p. 773) therefor; making the provisions retroactive to any term effective after March 1, 1984.

H. 914. Relating to Mobile County; establishing the Mobile County Highway and Traffic Safety Advisory Board and describing its composition, authority and duties; establishing the Mobile County Department of Highway and Traffic Safety and describing its authority, personnel and duties; and providing for use by said advisory board of a portion of certain monies distributed for law enforcement purposes under the provisions of Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 et seq.), as amended, providing for a County Racing Commission in all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census.

H. 916. Relating to Mobile County; providing further for the use of a certain portion of monies accruing to Mobile County pursuant to Act No. 84-186, H. 182, 1984 Regular Session, (Acts 1984, p. \_\_\_\_\_), relating to license taxes and registration fees on trucks and truck tractors.

Rep. Albright, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 731. Relating to Madison County; authorizing the Sheriff to charge a fee for fingerprinting certain persons and providing for the distribution and auditing of such fees and repealing Act Number 82-375 of the 1982 Alabama Legislature.

Rep. Albright, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 865. (With Substitute): Relating to Madison County; prescribing salaries, supplements and expense allowances for certain county officers.

Rep. Coburn, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 145. To further amend Sections 36-14-13 and 41-4-156, Code of

Alabama 1975, which pertain to the printing and distribution of acts, resolutions and pamphlet acts of the Alabama legislature so as to provide further for the distribution of printed acts and resolutions of the Alabama legislature; and to provide further for the distribution of pamphlet acts of the Alabama legislature.

Rep. Coburn, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 689. (With Amendment): To provide for and authorize and establish the procedures for the incorporation of the Alabama Student Loan Authority as a public, not for profit corporation of the State; to provide for the appointment, filling of vacancies, powers, terms of office, quorum, and removal of a board of directors of the Authority; to declare the legislative policy concerning this Act and the subject matter thereof; to define certain terms used herein; to provide for the officers of the Authority and the election and removal thereof; to grant various general powers to the Authority and to specify the conditions under which such powers may be exercised; to empower the Authority to make student loans that are guaranteed or insured under Title IV of the Federal Higher Education Act of 1965, as amended (Public Law 89-239, codified as 20 U.S.C. §§ 1071, *et seq.*, as amended) and any student loan guarantee program of the State; to empower the Authority to acquire student loans that are guaranteed or insured under Title IV of the Federal Higher Education Act of 1965, as amended (Public Law 89-239, codified as 20 U.S.C. §§ 1071, *et seq.*, as amended); to empower the Authority to borrow money for its various corporate purposes and in evidence thereof to issue its bonds and notes and other evidences of indebtedness; to prescribe certain terms and conditions upon which the Authority may sell and issue its bonds and notes and other evidences of indebtedness; to authorize the Authority to assign and pledge its revenues, moneys or assets as security for its bonds and notes and other evidences of indebtedness; to provide that the bonds and notes and other evidences of indebtedness of the Authority shall not constitute or create a debt of the State or a charge on its credit or taxing powers; to provide that the bonds and notes and other evidences of indebtedness of the Authority shall, subject to certain conditions, constitute negotiable instruments; to authorize the creation special debt service reserve funds and such other funds as may be necessary or desirable for the corporate purposes of the Authority; to provide for the refunding, by the issuance and sale of refunding bonds or notes and other evidences of indebtedness, of any bonds or notes and other evidences of indebtedness theretofore issued by the Authority; to provide that Article 9 of the Alabama Uniform Commercial Code or any successor provision thereto shall apply to any security interest in any personal property created by the Authority in connection with the issuance of its bonds and notes and other evidences of indebtedness; to provide that the bonds and notes of the Authority shall be legal investments for trust and other fiduciary funds as security for deposits of funds of the State or its political subdivisions, instrumentalities or agencies, whenever such security is required; to exempt from all taxation in the State the properties, revenues and income of the Authority and the interest, and premium, if any, payable on the bonds and notes and other evidences of indebtedness of the Authority; to exempt from all laws of the State governing usury or prescribing or limiting interest rates (i) the Authority, its bonds, notes, evidences of indebtedness and other contracts and (ii) any payment constituting interest

made pursuant to any obligation which constitutes all or any part of the source of payment for any of the bonds, notes or other obligations of the Authority; to exempt the Authority and all contracts made by it from all laws of the State requiring competitive bids for contract or purchase; to provide for the liberal construction of the provisions of this Act; to exempt the Authority from the supervision and control of any State agency; to provide that the Authority shall be a not-for-profit corporation and that any revenues of the Authority remaining after provision has been made for payment of the expenses, bonds and notes, shall be used to make or acquire student loans or be paid over the State; to provide that the publication of a notice of the adoption of a resolution authorizing the issuance of bonds or notes by the Authority will establish a limited period after such publication within which must be commenced any action or proceeding questioning the validity of such bonds or notes or any instrument securing the same; to provide for the dissolution of the Authority and for the vesting of title to its properties; and to provide that the provisions of this Act shall be severable.

Rep. Coburn, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 717. To amend Section 16-3-9, Code of Alabama, 1975, which provides for a specific expense allowance for each member of the State Board of Education.

H. 923. To amend Section 12-13-20, Code of Alabama, 1975, as amended, which relates to salaried probate judges' minimum compensation so as to further provide for such compensation.

H. 947. To amend Sections 40-17-38 and 40-17-221, Code of Alabama 1975, which provide for discounts on motor fuel taxes allowed to distributors, so as to provide further for said discounts.

S. 115. To redefine the term "gross income" as prescribed in Title 40, Chapter 18, Article 14, Code of Alabama 1975, relating to gross income exclusions, to conform Alabama income tax exclusions to Federal income tax exclusions of employer contributions on behalf of an employee to a trust which is part of a qualified cash or deferred arrangement (as defined in 26 USCA 401(k) (2)) under which the employee has an election whether the contribution will be made to the trust or received by the employee in cash or of employer contributions for an employee for an annuity contract (as provided in 26 USCA 403 (b)); to provide the provisions of this act shall be construed in pari materia with other law or parts of laws relating to income tax exclusions except where there is a direct conflict; and to provide an effective date.

S. 132. To provide that full-time employees and executive officers of the Alabama Opportunities Industrialization Center may elect to become members of the teachers' retirement system of Alabama; also to provide that said Center and its employees shall assume all costs, both contributory and administrative; and no cost shall devolve upon the State.

S. 147. To amend Sections 16-8-25 and 16-12-21, Code of Alabama 1975, to provide full-time teachers who teach the entire academic year with at least two weeks of vacation.

Rep. Coburn, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with

amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 176. (With Amendment): To provide facilities for displaying certain exhibits in cooperation with the Tennessee Valley Authority; to create the Tennessee Valley Authority Exhibit Commission of Alabama as an agency of the State of Alabama and to provide for its membership, terms, authority and duties; to authorize the issuance of revenue bonds to make an appropriation, for the fiscal year ending September 30, 1986, from certain funds received by the state in lieu of the payment of taxes pursuant to Title 40, Chapter 28, Code of Alabama 1975, and to amend Section 40-28-2, Code of Alabama 1975, therefor, to authorize the allocation and expenditure of funds; and to provide exemptions from all taxes.

Rep. Coburn, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 254. To amend Section 9-2-107, Code of Alabama 1975, relating to the State Park Revolving Fund, so as to provide that up to 2% of said fund may be encumbered each year for use in major repair and maintenance service of land, buildings, and permanent equipment fixed assets; and capital improvements or alteration to land, buildings, or permanent equipment.

S. 325. Amending Sections 16-36-7 and 16-36-27 of the Code of Alabama, 1975, so as to allow State adoption and purchase of educational materials for children enrolled in the public kindergartens of the State.

S. 351. To exempt the National Conference of State Legislatures and the Council of State Governments from the payment of all state, county and municipal sales and use taxes.

S. 372. To make an appropriation to the Louisiana, Mississippi, Alabama Rapid Rail Transit Commission.

S. 407. To authorize and direct the commissioner of conservation and natural resources to return by a proper conveyance to Amos Garrett that certain parcel of real property in Baldwin County heretofore conveyed by Amos Garrett to the State of Alabama to be used for the location of a highway bridge which site was abandoned by the state for that purpose and the bridge was constructed at another site.

S. 426. To make legislative findings regarding the need to provide additional methods of providing facilities employed in the provision of certain utility services, including water and sewer services, as well as the need for funds to finance such facilities; to define the particular terms used in the subsequent provisions of this act; to provide for and authorize the incorporation by any county or municipality in the state of one or more public corporations and instrumentalities of the state, upon the filing of an application with, and the making of certain determinations by, the governing body of a county or municipality; to provide for and authorize the certificate of incorporation of any such corporation to be amended at any time and from time to time upon the filing of applications with, and the making of certain determinations by, the governing body of such county or municipality; to provide for a board of directors of any such corporation and the election and removal of the members thereof; to authorize any such corporation to acquire, construct, own, lease, make loans with respect to, operate, or enter into contracts for the operation of, facilities, and to provide for the general powers to be exercised by any such corporation and the conditions



under which such powers may be exercised; to empower any such corporation to borrow money for its various corporate purposes and in evidence thereof to issue its notes, bonds and other obligations payable solely out of the revenues, receipts, income, funds or other sources specified in the proceedings under which such bonds, notes or other obligations are issued; to authorize any such corporation to pledge its revenues and mortgage or assign its assets as security for its notes, bonds or other obligations; to provide for the issuance of refunding bonds, notes or other obligations by any corporation for the purpose of refunding bonds, notes or other obligations theretofore issued or assumed by it; to provide a method for giving constructive notice of any mortgage, security interest, assignment or pledge created or made by any such corporation; to provide that the notes, bonds or other obligations of any such corporation shall not constitute or create a debt of the state or any county, municipality or other political subdivision or agency thereof; to provide that the notes, bonds and other obligations of any such corporation may be used for the investment of trusts and other fiduciary funds; to exempt from all taxation in the state the property, corporate activities, revenues and income of such corporation, such transaction or actions to which each such corporation is a party or in which it may be involved, and the notes, bonds and all other obligations of each such corporation and the income from such notes, bonds and obligations; to exempt any such corporation from all laws of the state governing usury or prescribing or limiting interest rates; to exempt any such corporation from all laws of the state requiring competitive bids for contracts to be entered into by counties, municipalities or public corporations; to exempt all utility services agreements and other contracts relating to the design, construction, acquisition, financing or operation of facilities financed by a corporation from all laws of the state requiring competitive bids for contracts to be entered into by counties, municipalities or public corporations and all laws relating to the maximum duration of contracts for the sale of personal property and contractual services to counties, municipalities or public corporations; to provide for liberal construction of the provisions of this act; to confer upon any corporation organized under the provisions of this act the power of eminent domain; to exempt any corporation organized under the provisions of this act from state supervision and control; to provide that any county, municipality or other political subdivision, agency or instrumentality of the state or any county or municipality may aid and cooperate with any such corporation, lend or donate money or perform services for the benefit thereof, and, without the necessity of an election, donate, sell, convey, transfer, lease or grant thereto any property of any kind; to authorize any county, municipality or other political subdivision, agency or instrumentality thereof and the Tannehill Furnace and Foundry Commission to enter into utility services agreements, for a term not exceeding forty (40) years, providing for the provision of utility services to such entity by a provider under circumstances in which the facilities for the provision of such utility services are financed, in whole or in part, by a corporation; to provide that such entity may unconditionally and absolutely obligate itself to make payments pursuant to such utility services agreement irrespective of the performance of the facilities or the delivery of the pertinent utility services; to provide that a utility services agreement may provide that when more than one such entity shall be a party to such a utility services agreement and one such entity shall default in its obligations thereunder, then the other such entity or entities may be obligated to assume the payment obligations of such defaulting entity; to provide legal and equitable remedies for the breach of utility services agreements; to prohibit any city, county or instrumentality of either thereof to enter into any utility services agreement or

related agreements for the acquisition, construction, equipment or operation of any facilities unless the same shall have been approved by such entity after a public hearing following public notice; to provide that any such corporation shall be a nonprofit corporation; to provide that any such corporation may, in its discretion, publish a notice of the adoption of a resolution authorizing the issuance of bonds, notes or other obligations by such corporation, and to provide that any action or proceeding questioning the validity of any such bonds, notes or other obligations or instruments securing the same must be commenced within thirty (30) days after the first publication of said notice; to provide for the dissolution of any such corporation and for the vesting of title to its properties; and to provide that the provisions of this act shall be severable.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 358. (With Amendment): Relating to Houston County; providing for election of the associate members of the county commission from districts to be defined on a population basis by the present commission upon referendum approval by the electors of Houston County.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 873. Relating to the City of Tuscaloosa, Tuscaloosa County, to provide for the election of the seven city board of education members, who shall qualify, run, reside in and be elected from districts created herein for such purposes.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 915. (With Amendment): Proposing an amendment to the Constitution of 1901, relating to additional ad valorem tax in Wilcox County.

The above bill was read a second at length as required by the Constitution.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 917. Relating to Houston County; providing further for the compensation of poll workers.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 918. (With Amendment): Relating to the City of Dothan in Hous-

ton County; amending Act No. 79-537, H. 927, 1979 Regular Session, which prescribes the form of government for the City of Dothan, so as to provide further for the elections, salaries, payment of vouchers, designation of Acting Mayor, and deletes the bond recording fee.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 922. Relating to Chilton County; authorizing the county commission to enter contracts for computerized recordkeeping and filing.

H. 925. Relating to Autauga County; granting discretionary authority to each member of the county commission to assume certain additional duties heretofore performed by a district county commission foreman and prescribing the annual salaries of the members of the county commission.

H. 926. Relating to Wilcox County; to provide reasonable compensation for the Wilcox County School Board Members.

H. 927. Relating to Chambers County; amending Act No. 80-418, H. 979, 1980 Regular Session, which provides for license fees on mobile homes, so as to provide further for the distribution of said fees.

H. 942. Relating to the City of Cullman in Cullman County; to validate, in certain cases, annexations heretofore held by the City of Cullman.

H. 943. Relating to Cleburne County; to create a license-issuing division within the probate judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the probate judge's office; and to transfer certain duties now performed by the tax assessor and tax collector to said probate office.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 946. (With Amendment): To amend Article III of Act 404, S. 430, Regular Session 1953 (Acts of Alabama 1953, p. 472), as amended, so as to further provide for the election of the Council of the City of Anniston.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 948. Relating to the fees and expense allowances for the Coroner of Henry County, Alabama, payable from the county treasury; and making such fees and expense allowances retroactive to October 1, 1983.

S. 153. Banks now or hereafter situated in Chambers County establish, maintain or operate branch banks and branch offices within said

county for the conduct of a general banking and trust business; and to repeal conflicting laws.

### RESOLUTION

The following resolution was introduced:

By Rep. Johnson (R.G.):

#### H. J. R. 320. COMMENDING THE CITY OF SYLACAUGA ON ITS FOUNDING 150 YEARS AGO.

WHEREAS, The City of Sylacauga, Alabama, was founded in 1834 by Joseph B. Cleveland, Robert Wilson, Benjamin Stringfellow, John Bulger, David and James Lindsay and George W. Stone to acquire from the United States Government a patent in which to settle on land joined by an existing road known as the turnpike from the falls of Wetumpka, with that of a passageway to meet Founder Joseph B. Cleveland's store; and

WHEREAS, the original seven founders of "Cyllacooga" purchased land and settled in the fertile Coosa River Valley, which had been previously illegally occupied—this being the land lying between the eastern bank of the Coosa River and the Georgia line and once dominated by the Creek Indians; and

WHEREAS, Sylacauga was first incorporated January 31, 1838, by George Washington Stone, an Alabama Chief Justice, to include "all that territory lying within a quarter of a mile of Cottingham and Ryan's store house"; and

WHEREAS, the City of Sylacauga now includes an 18-square mile area in Talledega County requiring more than 90 miles of paved streets with the annexation of neighboring subdivisions and communities being an ever-present attraction and question for those residents immediately outside the city limits; and

WHEREAS, the very first means of travelling to and from Sylacauga was the turnpike from the falls of Wetumpka to Sylacauga, which turnpike is credited as having been a major factor in the growth of Sylacauga and of the influx of its trade and industry in this Coosa Valley area; and

WHEREAS, Sylacauga is now known as the "Marble City," and is strategically located at the center of the industrial Southeast, with some 30 industries, which employ more than 5,000 people, and producing goods ranging from ice cream and meat products to cotton cloth and garments, to fertilizers, newspaper color supplements, marble, metal casting, and numerous other products, helping the city's more-than-200 retail stores and eight shopping centers to make retail sales of over 87 million dollars; and

WHEREAS, the only means of transportation available to Sylacaugans in 1834 was by the city's two roadways or by boat on the Coosa River with the A and A Railroad not making its debut in the city until December 1, 1866; and

WHEREAS, Sylacauga today is situated at the intersection of U. S. Highways 280 and 231 which connect the City to the major trade areas of the Southeast with the L & N Railroad, the Central of Georgia Railroad, eight trucking companies, Lee-Merkle Aviation Field and Trailways Bus Service providing the most efficient forms of modern transportation available to all residents of the Coosa River Valley area; and

WHEREAS, the Coosa River and eight adjoining Sylacauga lakes, such

as Sylacauga's Lake Howard are no longer used for transportation but for recreation luring residents and tourists of nearby cities, counties and states for the enjoyment of 17 miles of shoreline for fishing, swimming, camping, hiking, boating, sailing and picnicking; and

WHEREAS, the pleasant quality of life in Sylacauga including the city's mild climate, pure water and air enable all residents and visitors of Sylacauga to benefit from the many recreational facilities available such as eight parks, a municipal swimming pool, a twin movie theater, 11 tennis courts, five baseball diamonds, a Boy's Club, as well as three public recreational facilities; and

WHEREAS, education has been a prominent focus of life in Sylacauga since the formation of the Sylacauga Female Academy in 1839; and

WHEREAS, the fully-accredited Sylacauga City School System with approximately 2,500 students and 150 instructors is considered to be excellent with pupils consistently scoring above the state and national averages on standardized achievement tests; and

WHEREAS, the fully-accredited Sylacauga Diploma School of Nursing with 80 trainees and 15 instructors and the accredited N. F. Nunnally State Technical College providing instruction of various skills and trades to over 600 students by 30 teachers, further serves to educate and prepare Sylacaugans and area residents for the work force; and

WHEREAS, the modern B. B. Comer Memorial Library and Information Center, one of the finest and most beautiful facility in the State of Alabama, further serves as a source for educating area residents through the availability and constant replenishing of thousands of pieces of information; and

WHEREAS, Sylacauga also offers additional facilities used to disseminate educational information as well as serving as entertainment mediums, such as three local and area newspapers, namely the widely circulated *Daily Home*; two radio stations, WFEB AM & FM and WMLS AM & FM; and the beautiful Sylacauga Museum and Arts Center, a branch of the Sylacauga Area Council on Arts and Humanities, which accommodates the finest exhibits from big city museums as well as serving as host to many fine arts performances and related cultural activities; and

WHEREAS, the early citizens of Sylacauga believed in churches and the right to exercise their religious freedom as U. S. citizens, most notably in 1835 when area Baptists established First Baptist Church and in 1853 when Methodists erected Sylacauga's first church building followed by the organization of church congregations by the Masons, Episcopalians and Presbyterians which ultimately resulted in the incorporation of the 51 churches Sylacauga maintains today representing every major religious denominations and helping to cause the city's low crime rate; and

WHEREAS, the first doctors of the City of Sylacauga were recognized more for their business astuteness than for medical expertise and service, the city now maintains several outstanding health-care facilities, namely the fully-accredited Sylacauga Hospital with 177 beds, approximately 500 full and part-time employees including 26 physicians; as well as two nursing homes, with a total of 165 beds, Sylacauga Nursing Home and Marble City Health Care, Inc.; the Cheaha Mental Health Center serving a four-county area; and the Sylacauga Health Center providing other professional services; and

WHEREAS, Sylacauga, nestled in its Marble Valley between mountains and unpolluted lakes, has exceptional natural beauty as well as an attractiveness which appeals to visitors who notice the broad, tree-lined avenues, beautiful homes and civic buildings, namely the modern Sylacauga Municipal Complex, the B. B. Comer Memorial Library and Public Information Center, and the recently renovated Sylacauga Museum and Arts Center; and

WHEREAS, the City of Sylacauga is consistently singled out on a state and national level for its beauty, cleanliness and environmental conscientiousness through formal recognition received by the Sylacauga Beautification Council of the following outstanding awards and titles: nine-time winner of the National "Keep America Beautiful" Award; five-time winner of the "Cleanest Town in Alabama" Award and five national awards to the Sylacauga Parks and Recreation Board; as well as over 20 state and national awards for "America's Most Beautiful Small City" and "The Award-Winning City;" and

WHEREAS, the City of Sylacauga's 1838 "Act of Incorporation" by George Washington Stone provided the city's original form of government calling for the election of "five councillors and an Intendant;" and

WHEREAS, the City of Sylacauga currently has a Mayor-Council form of government, having elected Gene E. Stewart, Mayor and the following Councilmen: J. W. Smith; Hoyt D. Cabaniss, Jesse L. Cleveland, John W. Floyd, and John W. Leicht, who have served the city to the best of their abilities, providing additional feelings of pride in the citizens of Sylacauga through their hard work and dedication to the promoting of Sylacauga; and

WHEREAS, additional governmental leaders and representatives further perpetuate pride in Sylacaugans, namely native Sylacaugan William F. Nichols serving his ninth term in the United States House of Representatives, Ron G. Johnson from Sylacauga serving his second term in the Alabama House of Representatives and John Teague, President Pro Tem of the Alabama Senate who serves the State Senate district encompassing Sylacauga; and

WHEREAS, the City of Sylacauga also boasts of yet another honor, serving as native home for popular television personality and recording star Jim "Gomer Pyle" Nabors, the son of a Sylacauga policeman, who is a recognized talent and celebrity throughout the world due to his popular television series, "Gomer Pyle—USMC," as well as numerous other television and Las Vegas performances entertaining millions of people; and also including Mr. Nabors' more than 17 record albums, four of which have turned gold, featuring his stirring baritone singing voice which he uses to entertain during return visits to his hometown in Alabama as Sylacauga's "Most Famous Citizen"; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we dutifully recognize and honor the City of Sylacauga, Alabama, on the occasion of its founding 150 years ago in 1834, known as the city's "Sesquicentennial."

BE IT FURTHER RESOLVED, That the House of Representatives and the Alabama Senate hereby commend the City of Sylacauga, its citizens and leaders of government, business and industry and education for 150 years of continuous growth benefitting our State and Nation; and further extend to the City of Sylacauga our congratulations and best wishes for continued growth and goodwill.

On motion of Rep. Johnson (R.G.), the rules were suspended and the resolution, H. J. R. 320, was adopted.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Rep. Burke (With Notice and Proof):

H. 953. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Valley Head in DeKalb County.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 953, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. White (F) (With Notice and Proof):

H. 954. Relating to Escambia County; to further amend Section 1 of Act No. 225, H. 204, Special Session of the Legislature 1965 (Acts 1965 Special Session, p. 306), as last amended, relating to the compensation of the members of the board of education of Escambia County, so as to increase said compensation.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 954, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. White (F) (With Notice and Proof):

H. 955. Relating to Escambia County; providing that the Chairman of the Escambia County Commission shall serve full time as such officer.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 955, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Reps. Holmes and Buskey (John) (With Notice and Proof):

H. 956. Relating to Montgomery County; to further provide for the supplemental salary payable from the county to district court judges.

Committee on Local Legislation No. 4.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 956, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. Bugg (With Notice and Proof):

H. 957. Relating to Etowah County; to repeal Act No. 335, H. 1036 of the 1976 Regular Session, Act No. 302, H. 1043 of the 1977 Regular Session and Act No. 81-380, S. 17 of the 1981 Regular Session, all of which place certain location restrictions on branch banking in Etowah County so as to eliminate such restrictions.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 957, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Reps. Bugg, Ford, and Junkins (With Notice and Proof):

H. 958. Relating to Etowah County; to provide for the filing for record and the preservation of all orders and decrees made and entered by any judge of the circuit court.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 958, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Reps. Johnson (Roy) and Rains:

H. 959. Providing that beginning with the 1985-86 fiscal year and thereafter, the amount of certain revenue lost by certain institutions, colleges and schools because of their allowing blind persons to operate vending machines on their premises as authorized by the act which H. 739 became during the 1984 Regular Session of the Legislature shall be appropriated to such institutions and schools in addition to their annual appropriations from the special educational trust fund and prescribing procedure for determining such amount.

Committee on Ways and Means.

By Rep. Mathis (With Notice and Proof):

H. 960. Relating to Geneva County; to amend Section 6 of Act No. 651, H. 1151, Regular Session 1978 (Acts 1978, p. 923), relating to the establishment of a consolidated and unified system for assessment and collection of taxes, so as to further provide for the compensation of the county revenue commissioner.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 960, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. Carothers:

H. 961. To amend Sections 28-3-184 and 28-3-190, Code of Alabama



1975, relating to the levy of excise taxes upon beer and malt or brewed beverages, so as to provide further for the levy of such tax.

Committee on Ways and Means.

By Rep. Grouby:

H. 962. To provide for a guaranteed minimum starting wage or salary for all county law enforcement officers of this state and provide for the enforcement of the provisions of this act.

Committee on State Administration.

By Rep. Hall (With Notice and Proof):

H. 963. To amend Sections 2, 4, 5, 6, and 7 of Act 79-825, S. 640, 1979 Regular Session (Acts 1979, p. 1557) relating to the Jackson County Department of Public Works and to the county engineer so as to provide for the authority of the department and the selection, requirements, functions, powers, privileges, and termination of the county engineer.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 963, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. Preuitt (With Notice and Proof):

H. 964. To extend, alter and rearrange the boundary lines and corporate limits of the City of Lincoln, Talledega County, Alabama.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 964, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. Martin (With Notice and Proof):

H. 965. Relating to Morgan County; to authorize the Morgan County Commission to pay the actual cost of replacing any clothing or equipment of a deputy sheriff, probation officer or juvenile detention officer of the county that is damaged or destroyed while such officer is engaged in the performance of his official duties and acting within the line and scope of his authority.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 965, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. Martin (With Notice and Proof):

H. 966. Relating to Morgan County; to authorize the Morgan County Commission to enter into contract providing for the Sheriff of Morgan

County to furnish police protection within a municipality of the county on a contract basis. To further authorize municipalities entering into such a contract police agreement to pay over to the county treasurer monies sufficient to reimburse the county treasury for expenditures necessary to provide said contract policing.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 966, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. Martin (With Notice and Proof):

H. 967. Relating to Morgan County; to amend Section 1 of Act No. 733, S. 811, Regular Session 1977 (Acts 1977, p. 1279) which regulates the compensation of members of the county board of registrars, so as to provide further for such compensation and to specifically repeal Act No. 622, H. 1108, 1981 Regular Session (Acts 1981, p. 1036).

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 967, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. Martin (With Notice and Proof):

H. 968. To provide an annual salary supplement for the clerk of the Morgan County Jury Commission, to be paid by the county; to provide that such supplement shall be in an amount so as to make the total salary of the Clerk of the Jury Commission equal to the total salary received by the Chairman of the Board of Registrars of said county; and to provide an effective date.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 968, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. Martin (With Notice and Proof):

H. 969. Relating to the 8th Judicial Circuit; to provide an additional expense allowance to each court reporter.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 969, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. Preuitt: (With Notice and Proof):

H. 970. To authorize the Talledega County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 970, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

### RESOLUTIONS

The following resolution was introduced:

By Reps. Lindsey, Burke and Coleman:

H. J. R. 321. RESPECTFULLY REQUESTING PRESIDENT RONALD REAGAN TO APPOINT AN ALABAMIAN TO FILL THE VACANCY CURRENTLY EXISTING ON THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY.

WHEREAS, unlike Mississippi, Tennessee, Kentucky and other states in the TVA service area, Alabama has never had representation on the TVA Board of Directors, although the Tennessee Valley Authority Act of 1933 specifically embraces Alabama as the home of the agency; and

WHEREAS, there are a number of individuals in Alabama with a thorough understanding of the mission of TVA in serving the people of the Tennessee Valley; and

WHEREAS, Alabamians also are fully committed to the Authority's mandate to advance the economic development of the region, and there are those too, in our state, who are thoroughly knowledgeable of both legislation and programs concerning water resource development as well as TVA's activities in the fields of energy, transportation, flood control and conservation; and

WHEREAS, with a vacancy now existing on the TVA Board, it is both logical and realistic that said vacancy should and must be filled with Alabama's first appointment; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most respectfully but strongly urge President Reagan to appoint an Alabamian to the vacancy on the Board of Directors of the Tennessee Valley Authority.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded forthwith to President Reagan for his consideration with copies also provided for Alabama's Congressional Delegation in Washington, D.C.

On motion of Rep. Lindsey, the rules were suspended and the resolution, H. J. R. 321, was adopted.

## CO-SPONSORS ADDED

The following were added as co-sponsors to the resolution, H. J. R. 321:

Mr. Speaker, Adams, Albright, Bachus, Boles, Bowling, Britnell, Brooks, Browder, Bryant, Butler, Carter, Clark (D), Clark (J), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Gray, Grayson, Hall, Harvey, Hettinger, Holmes, Hooper, Horn, Junkins, Kvalheim, Lauderdale, Melton, Mitchell, Newman, Nicholson, Penry, Poole, Pratt, Preuitt, Rains, Reed, Richardson, Rogers, Smith, Spratt, Starkey, Thomas, Trammell, Turner, Turnham and White (G).

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Fuller and Laird:

H. R. 322. COMMENDING MR. FLOYD H. CLANTON FOR OUTSTANDING CONTRIBUTIONS TO ALABAMA FORESTRY.

Also:

The following resolutions were introduced:

By Rep. Black:

H. J. R. 323. MOURNING THE DEATH OF MR. JOSEPH WILDER, CARPENTER, FARMER AND COMMUNITY LEADER OF MANTUA, GREENE COUNTY, ALABAMA.

WHEREAS, the Legislature of Alabama has grievously noted the death of Mr. Joseph Wilder of Mantua, Alabama, on April 27, 1984; and

WHEREAS, Mr. Wilder was one of Mantua's and Greene County's most prominent and respected citizens and one who has served his beloved homecounty in many capacities for more than forty years; and

WHEREAS, Mr. Wilder received his formal education in the Greene County School System; and

WHEREAS, in addition to service as a carpenter and farmer, Mr. Wilder also was prominent in the area civic affairs as director of the NYA project, Wishful Master in the Masonic Lodge, and Elder in the Christian Light Cumbland Presbyterian Church, Mantua, Alabama; and

WHEREAS, the death of Mr. Wilder has indeed left a void in the lives and hearts of all those privileged to have known him as a generous, compassionate and gentle person, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are deeply saddened by the death of Mr. Wilder of Mantau, Alabama, and extend our most heartfelt sympathy to his six daughters, and two sons and other family members to whom we express shared grief and to whom a copy of this resolution shall be sent.

On motion of Rep. Black, the rules were suspended and the resolution, H. J. R. 323, was adopted.

Also:

By Rep. Johnson (Roy):

H. R. 324. BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That when we adjourn today, Wednesday, May 2, 1984, we adjourn to meet again on Thursday, May 3, 1984, at 10:00 a.m.

On motion of Rep. Johnson (Roy), the rules were suspended and the resolution, H. R. 324, was adopted.

Also:

By Rep. Johnson (Roy):

H. J. R. 325. To memorialize the Congress of the United States to adopt legislation which will fully protect municipalities and their public boards and agencies from liability under federal antitrust laws.

WHEREAS, the United States Supreme Court, in *Parker v. Brown*, 317 U. S. 341 (1943), established the Parker Doctrine, a state action exemption test granting immunity to states from federal antitrust liability; and

WHEREAS, the United States Supreme Court, in *Community Communications v. City of Boulder*, 455 U. S. 40 (1982), held that the Parker Doctrine did not automatically give local governments immunity from federal antitrust liability; and

WHEREAS, until the Boulder decision and other recent court decisions it had been assumed that the Parker Doctrine applied to local as well as to state government; and

WHEREAS, the Boulder decision has exposed local governments to litigation in many of their regulatory, planning, franchising and other day-to-day activities; and

WHEREAS, federal antitrust law suits are being filed in ever-increasing numbers against municipalities as a result of the Boulder decision; and

WHEREAS, claims for monetary relief seeking hundreds of millions of dollars for treble damages under the federal antitrust laws threaten the fiscal integrity of municipalities; and

WHEREAS, even frivolous antitrust suits can be extremely time consuming and expensive to defend because of the need to hire outside counsel; and

WHEREAS, the activities of local government, like the activities of state and federal governments, are particularly unsuited to the application of federal antitrust statutes; and

WHEREAS, there is no logical reason why local governments, including public boards and agencies, should not have antitrust immunity similar to that available to state governments and the federal government; and

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE, THE SENATE OF ALABAMA CONCURRING, that the Legislature of Alabama memorializes the Congress of the United States to adopt legislation which will fully protect municipalities and their public boards and agencies from liability under federal antitrust laws; and

BE IT FURTHER RESOLVED that the Clerk of the House transmit copies of this resolution to the President of the United States Senate, to the

Speaker of the United States House of Representatives, and to the members of the Alabama Delegation to the Congress of the United States.

On motion of Rep. Johnson (Roy), the rules were suspended and the resolution, H. J. R. 325, was adopted.

### BILLS ON THE THIRD READING

And the bill:

H. 762. Relating to Madison County; providing further for the compensation of the directors and officers of the airport authority.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 1.

*Yeas:*

Mr. Speaker, Adams, Beers, Black, Blake, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Faulk, Fuller, Goodwin, Grayson, Hammett, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, McDowell, McMillan, McNair, Martin, Mathis, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Perdue, Poole, Rains, Reed, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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*Nay:* Rep. Hall.

—1

And the bill:

H. 866. To amend Section 1 of Act No. 83-714, H. 916, of the 1983 Regular Session of the Legislature (Acts 1983, p. 1160), relating to licensing of retailers of alcoholic beverages in Shelby County, Alabama, so as to provide further for such licensing.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Black, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Coburn, Coleman, Cosby, Crow, Davis, Escott, Faulk, Fuller, Gaston, Goodwin, Gray, Grayson, Hall, Hammett, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McDowell, Martin, Mathis, Mitchell, Moore, Newman, Nicholson, Parker, Perdue, Poole, Rains, Reed, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Tanner, Thomas, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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And the bill:

H. 897. To authorize and make provision for the incorporation in the City of Ozark of the Ozark Downtown Redevelopment Authority for the purpose of promoting trade and commerce by inducing commercial enterprises to upgrade, improve, modernize, and expand existing facilities and to locate new facilities in the central business district of Ozark; to define the area of such central business district; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of such Authority, its board of directors, and its officers; to authorize such Authority to acquire by purchase, construction, exchange, gift, lease or otherwise and to refinance existing indebtedness on, improve, maintain, equip and furnish land and buildings or other improvements thereon and all real and personal properties necessary in connection therewith whether or not now existing, suitable for use by any commercial enterprise, provided that such property shall be located wholly within the Downtown Development Area herein defined; to authorize any such Authority to lease such properties to others; to authorize any such Authority to sell, exchange, donate or convey and to grant options to any lessee to acquire such properties; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities, payable solely out of the revenues and receipts derived from the leasing or sale of such properties; to provide that in certain circumstances such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues and receipts from which they are payable, by contracts binding any such Authority for the proper application of its revenues and receipts and of the proceeds of such securities, and by mortgages and deeds of trust and trust indentures on the property out of the revenues and receipts from which such securities are payable; to authorize the Authority to finance, construct, acquire, purchase, renovate, maintain, improve, sell, equip, operate or manage projects; to apply for and use government or private financial assistance; to contract to use facilities or services of the federal, state or local governments or allow them to use facilities or services of the Authority; to make loans to persons or entities for the costs of a project on such security and with such terms and conditions as the Authority deems appropriate; to provide for the employment by any such Authority of such officers, employees, contractors, consultants and agents as its business may require; to provide for the taking out by any such authority of various types of insurance; to require payments in lieu of taxes to be made to the Authority or the City; to receive the proceeds of municipal taxes levied for the Authority's purposes; to promote revitalization of the Downtown Development Area and make plans and proposals therefor; to provide for the investment of funds of any such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to make the securities issued by any such Authority eligible investments for various governmental bodies and fiduciaries; to provide that any such Authority may, in its discretion, publish a notice of the adoption of a resolution authorizing the issuance of bonds by such Authority, and to provide that any action or proceeding questioning the validity of such bonds, or any pledge, mortgage and deed of trust or trust indenture securing the same, or the proceedings authorizing the same, must be commenced within thirty

(30) days after the first publication of said notice; to exempt the income of any such Authority, and all conveyances, leases, mortgages and deeds of trust to which any such Authority is a party, from all taxation in the state except for state ad valorem taxes; to exempt every such Authority from all license and excise taxes imposed in respect of the privilege of engaging in any of the activities in which an Authority may engage, except for state sales and use taxes, and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from all laws of the State governing usury or prescribing or limiting interest rates; to exempt every such Authority from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to exempt every such Authority from the supervision and control of state agencies, in particular the State Department of Finance; to provide for the disposition of the earnings, if any, of any such Authority; to provide for the dissolution of any such Authority and the disposition of its property; to limit to one the number of such Authorities which may exist in any municipality at any one time; to give the Authority the power of eminent domain; and to authorize political subdivisions, agencies, instrumentalities and public corporations of the state to aid the Authority with loans or grants of money, the furnishing of services or the transfer of property to the Authority without any public election; to require the treasurer to obtain a fidelity bond equal to the amount of any public funds held by the Authority; to require compliance with the competitive bid law with respect to any projects receiving public funds; and to require a public hearing prior to the expenditure of any public funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Black, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Coburn, Coleman, Cosby, Crow, Davis, Escott, Faulk, Fuller, Gaston, Goodwin, Gray, Grayson, Hall, Hammett, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McDowell, Martin, Mathis, Mitchell, Moore, Newman, Nicholson, Parker, Perdue, Poole, Rains, Reed, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Tanner, Thomas, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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And the bill:

H. 899. (With Amendment): To alter, rearrange and extend the boundary lines and corporate limits of the City of Centre in Cherokee County, Alabama.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend H. B. 899, page 2, Section 1, immediately following line 34 by adding the following:



be entirely surrounded by waters of the Coosa River or its

And the amendment was adopted.

Yeas 76; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Black, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Coburn, Coleman, Cosby, Crow, Davis, Escott, Faulk, Fuller, Gaston, Goodwin, Gray, Grayson, Hall, Hammett, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McDowell, Martin, Mathis, Mitchell, Moore, Newman, Nicholson, Parker, Perdue, Poole, Rains, Reed, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Tanner, Thomas, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—76

And the bill, H. 899, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Black, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Coburn, Coleman, Cosby, Crow, Davis, Escott, Faulk, Fuller, Gaston, Goodwin, Gray, Grayson, Hall, Hammett, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McDowell, Martin, Mathis, Mitchell, Moore, Newman, Nicholson, Parker, Perdue, Poole, Rains, Reed, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Tanner, Thomas, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senators Teague and Goodwin:

S. J. R. 179. RATIFYING THE OCTOBER 14, 1983, AGREEMENT OF MUTUAL ASSISTANCE BETWEEN THE CHINA EXTERNAL TRADE DEVELOPMENT COUNCIL OF THE REPUBLIC OF CHINA AND THE STATE OF ALABAMA OF THE UNITED STATES OF AMERICA.

WHEREAS, in October 1983, an agreement was entered into between the China External Trade Development Council, hereinafter referred to as Council, and the State of Alabama, hereinafter referred to as State; and

WHEREAS, said Agreement, signed on October 14, 1983, by Kwang-Shih Chang, Chairman of the Board of Directors of the Council, and by George C. Wallace, Governor of the State of Alabama, was entered in antici-

pation of, and dependent upon, resolutions being passed by the State and the Council ratifying said Agreement; and

WHEREAS, said Agreement reads as follows, to-wit:

"WHEREAS, it is established that there is a great mutuality of interest in areas of social, economic, educational and cultural programs, and the conduct of such programs would bring our citizens closer together and strengthen international understanding and that it is the development of such mutuality of interest that is the most desired bond for common benefit; and

"WHEREAS, the acknowledgement of mutual friendship, understanding and goodwill would serve to enhance future trade development efforts between Taiwan, the Republic of China, and the State of Alabama; and

"WHEREAS, the Council and the State of Alabama each believe that the encouragement and promotion of trade is essential to an effective economic development program;

"IT IS THEREFORE MUTUALLY AGREED AS FOLLOWS:

"1. The Council and the State shall each take necessary steps to exchange trade and market information and to disseminate to the businessmen of the two countries information on the goods and services that are available from the other country.

"2. Both parties shall notify and assist each other in the holding of trade exhibitions, or fairs, of products of the two countries.

"3. Special effort shall be taken to continue to identify particular products and commodities which should be traded between Taiwan, the Republic of China, and Alabama.

"4. Frequent exchange visits shall be sponsored and promoted for delegations and businessmen of the two parties, and cooperation and assistance shall be extended to the visitors so sponsored by the other party.

"5. All such steps as may be necessary and feasible shall be taken to promote the trade and economic cooperation between the two parties.

"6. This Agreement may be terminated by either party without limitations upon ninety (90) days' written notice."; and

WHEREAS, the Alabama Legislature unanimously concurs in the mutual agreement of Council and State as hereinabove stated; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby formally approve, sanction and ratify the October 14, 1983, AGREEMENT OF MUTUAL ASSISTANCE BETWEEN THE CHINA EXTERNAL TRADE DEVELOPMENT COUNCIL OF THE REPUBLIC OF CHINA AND THE STATE OF ALABAMA OF THE UNITED STATES OF AMERICA.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 179, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Little:

S. J. R. 191. COMMENDING THE RUSSELL CORPORATION OF ALEXANDER CITY, ALABAMA.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 191, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Aldridge:

S. J. R. 185. CREATING A LEGISLATIVE TASK FORCE TO THOROUGHLY STUDY AND CONSIDER ABUSE AND NEGLECT OF CHILDREN IN THE STATE OF ALABAMA, AND TO REQUIRE THAT SAID TASK FORCE SHALL REPORT TO THE LEGISLATURE ITS FINDINGS, CONCLUSIONS AND RECOMMENDATIONS.

WHEREAS, in recent weeks this country was shocked and dismayed of criminal charges being brought against seven (7) staff members of a pre-school childcare in Manhattan Beach, California for the sexual molestation and abusive treatment of children entrusted to the school's care; and

WHEREAS, more recently it was learned that a Grand Jury in Cullman County, Alabama had returned indictments against three (3) former employees of the Childhaven children's home in Vinemont, Alabama for the abuse, neglect and sexual exploitation of children residing at the home; and

WHEREAS, the Journal of Emergency Nursing reported that physical abuse is a greater killer of children between ages of six (6) months and twelve (12) months than any specific cancers, malformation or infectious disease, and child abuse is second only to traffic accidents as a killer of young children causing the death of some 2,000 children annually; and

WHEREAS, in Alabama there were 24,000 reported cases of child abuse in 1983 and knowledgeable authorities estimate that only half of the actual cases of child abuse and only 10% of all sexual abuse cases were reported; and

WHEREAS, the number of child abuse cases is growing at an alarming rate in Alabama and the nation as a whole, with an annual increase of seventeen (17%), and nationwide the number of incidents of child abuse has doubled in five (5) years; and

WHEREAS, in addition to the increases in number, authorities report

that there has been a sharp rise in the severity of the cases reported and investigated; and

WHEREAS, it is the intent of the Alabama Legislature to insure the health, safety and welfare of the children of this State, and to take every possible measure conceivable to prevent occurrences of physical abuse, sexual exploitation and neglect of Alabama's children; and

WHEREAS, recent occurrences coupled with frightening trends reveal a serious and present need to have a legislative task force study and consider in a comprehensive manner child abuse and neglect in the State of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a legislative task force to be comprised in the following manner: the Chairman of the Senate Health and Welfare Committee who will serve as Chairperson of the task force, one member of the Senate to be appointed by the Lieutenant Governor, one member of the House of Representatives to be appointed by the Speaker of the House, the Commissioner of the State Department of Pensions and Securities, the Executive Director of the Child Abuse and Neglect Prevention Board as created by Act No. 83-735, one member to be appointed by the Chief Justice of the Alabama Supreme Court, and one member to be appointed by the State Superintendent of Education. A vice chairman of the task force shall be elected at the first meeting by the members of the task force. The task force shall thoroughly study, investigate and consider abuse, neglect and sexual exploitation of children in Alabama and develop recommendations, proposals and strategies for the prevention of the same.

Upon the request of the Chairman, the Secretary of the Senate and the Clerk of the House of Representatives shall provide such clerical assistance as may be necessary for the task force's work. The task force shall report its findings, conclusions and recommendations to the Legislature not later than the 15th legislative day of the 1985 Regular Session, whereupon the task force shall be dissolved. Each member of the task force who is a member of the Legislature shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the task force, which shall be paid out of any funds appropriated to the use of the Legislature, upon warrants drawn on the State Comptroller upon requisitions signed by the task force's chairman. Total expenditures for the legislative members of the task force shall not exceed \$7,000.00. All members of the task force who are not members of the Legislature shall receive no compensation other than their normal and customary compensation, but shall be entitled to receive per diem and travel expenses for each day he attends a meeting of the task force, which shall be paid through the appropriate department of State Government for which the member is employed.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

The resolution, S. J. R. 185, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Senator Ellis:

S. J. R. 200. MOURNING THE DEATH OF MR. FREDERICK R. McCLENDON OF SHELBY COUNTY, ALABAMA.

Also:

By Senators deGraffenreid, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Langford, Little, Menton, Mitchem, Parsons, Pearson, Sanders, Smith (B), Smith (J), Strong, and Teague:

S. J. R. 203. MOURNING THE DEATH OF MR. WALTER W. FLOWERS, JUNIOR.

Also:

By Senator deGraffenried:

S. J. R. 205. COMMENDING THE COMMITMENT AND CONTRIBUTIONS OF HOSPITALS THROUGHOUT THE STATE OF ALABAMA TOWARD SERVING THE NEEDS OF INDIGENT MATERNAL AND CHILD HEALTH CARE RECIPIENTS.

Also:

By Senator deGraffenried:

S. J. R. 206. COMMENDING THE COMMITMENT AND THE CONTRIBUTIONS OF OBSTETRICIANS THROUGHOUT THE STATE OF ALABAMA TO THE CARE OF INDIGENT OBSTETRICAL PATIENTS.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolutions, S. J. R. 200, S. J. R. 203, S. J. R. 205 and S. J. R. 206, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Senator Little:

S. J. R. 210. COMMENDING MR. JOHN L. PARROTT FOR OUTSTANDING CONTRIBUTIONS TO THE ALABAMA COOPERATIVE EXTENSION SERVICE, AUBURN UNIVERSITY.

Also:

By Senator Mitchem:

S. J. R. 211. DECLARING THE WEEK OF JUNE 3-9, 1984, "ALABAMA POULTRY WEEK".

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolutions, S. J. R. 210 and S. J. R. 211, the titles of which are set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 554. To allow the Governor, the Director of Finance and the Commissioner of Agriculture and Industries to organize a public corporation for the purpose of issuing bonds or other debt securities to be used for constructing and maintaining an agricultural market facility and to renovate the existing Garrett Coliseum and other buildings on the Coliseum grounds; to provide procedures for the organization of said corporation; to set out powers of the corporation; to authorize the issuance of up to \$6,000,000 in securities, which shall be special obligations of the corporation, payable from specified sources and which shall not be obligations or debts of any kind of the State; to provide that not more than 60% of the proceeds of sale of such securities may be expended for the construction of an agricultural market facility and not more than 40% of such proceeds may be expended for renovation of the Coliseum and other buildings on the Coliseum grounds; to provide for methods of executing and selling such securities and for paying the principal of and any premium and interest on such securities; to provide that the monies realized from leases paid by the public for use of the market, after expenses incurred in operating the market are deducted, may be pledged and used to defray the cost of 60% of the securities; to provide that the monies obtained from the public for rents and other receipts realized from use of the Coliseum, after expenses incurred in operating the Coliseum are deducted, may be pledged and used to defray the cost of 40% of the securities; and to provide that, if all of the above funds are insufficient, then to pledge monies received from fees, licenses, permits, fines and penalties collected by the Department of Agriculture and Industries and paid into the agricultural fund, for the payment of the principal of and any premium and interest on the securities; to provide that any monies received from the sale of the securities shall only be used to construct, acquire and equip an agricultural market facility, and for renovation of the Coliseum and other buildings located on the Coliseum grounds; to provide that the State Board of Agriculture and Industries shall construct the market under the guidance of the State Building Commission; to provide that the Agricultural Center Board shall be responsible for renovation of the Coliseum and other buildings on the Coliseum grounds; to provide for the refunding of the securities and procedures for the deposit, investment and disposition of proceeds of sale of the securities; to provide for limitation of any action to contest the validity of the securities; to provide that the secur-

ities are legal investments and that the securities of the corporation and any premium and interest thereon, the property and income of the corporation, and any public filings by it are exempt from taxation; and to provide for dissolution of the corporation.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Rep. Johnson (Roy), the House concurred in and adopted the Senate amendment to the bill, H. 554, said Senate amendment being as follows:

Amend House Bill No. 554 as follows:

Delete the word "may", appearing after the word "tenor" on line 15 on page No. 11, and substitute in lieu thereof the word

"shall".

Delete the words "or bearer" and the words "either as to principal or interest" appearing on line 16, on page 11.

Delete the words "or both" appearing on line 17 of page No. 11.

Between the word "Department" and the word "of" appearing on line 38 of page No. 12, insert the following words:

"or State Treasurer's Office".

Delete line 39 appearing on page 12 in its entirety.

Delete line 5 appearing on page 13 in its entirety and also delete the remainder of this sentence appearing as the first seven words or parts of words appearing on line 6 of page No. 13.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Blake, Brooks, Browder, Bryant, Bugg, Buskey (John), Butler, Campbell, Carter, Clark (J), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Fuller, Gaston, Grouby, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, Melton, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Penry, Poole, Rains, Reed, Richardson, Rogers, Sasser, Smith, Starkey, Starr, Trammell, Turnham, Warren, White (F) and White (G).

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And the bill, H. 554 as thus amended, was again read at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker, Adams, Blake, Blakeney, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Campbell, Carter, Clark (D), Clark (J), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Ford, Fuller, Gaston, Grouby, Hall, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, Martin, Mikell, Mitchell, Newman,

Nicholson, Onderdonk, Penry, Poole, Rains, Reed, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Trammell, Turner, Turnham, Venable, Warren, White (F) and White (G).

—66

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 208. To amend Section 16-8-26, Code of Alabama, 1975, which provides for personal leave for teachers, so as to provide further for said leave, and to provide for creditable service for purposes of service retirement for unused accrued sick leave.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

On motion of Rep. Johnson (Roy), the House concurred in and adopted the Senate amendment to the bill, H. 208, said Senate amendment being as follows:

By Senator deGraffenried:

In Section 1, page 1, line 37, add a new sentence to read as follows: "No teacher, as a condition to receive personal leave, shall be required to divulge his/her reasons for requesting such leave."

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 16-8-26, Code of Alabama, 1975, which provides for personal leave for teachers, so as to provide further for said leave, and to provide for creditable service for purposes of service retirement for unused accrued sick leave.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 16-8-26, Code of Alabama, 1975, is hereby amended to read as follows:

"Section 16-8-26.

"Any county or city board of education or the Alabama Institute of Deaf and Blind may at its discretion, shall be authorized to grant to any teacher within its school system personal leave of up to five days annually noncumulative, during the time schools are in session. The board shall enact policies providing for uniform administration of personal leave, and shall determine whether the leave is to be with part pay, full pay or without pay, except that any approved leave for which the state education budget includes funding shall be with pay. It is further provided that personal leave shall be reimbursed to the teacher at the end of the school year at the same daily rate as is paid to substitute teachers for each day of personal leave not taken by a teacher. The number of unused personal leave days subject to reimbursement shall be limited to the number of personal leave days for which funding is provided in the annual Special Education Trust Fund budget. Personal leave funds provided by the state shall be distributed to



local boards of education by the state superintendent of education according to a plan developed by him."

Section 2. Teachers, as defined in § 16-25-1(3) or § 16-25-5 (d), Code of Alabama, 1975, as amended may use their accrued sick leave, up to a maximum number of accrued sick leave days allowed by law, to be included as membership service in determining the total years of creditable service in the Teachers' Retirement System of Alabama; provided, any teacher not authorized by law to receive sick leave may use any accrued sick leave provided by his or her employer, provided, that employer is lawfully empowered to grant such leave, which cannot be without pay; and provided further that the amount of such accrued leave shall not exceed the maximum number of accrued sick leave days allowed by law for a classroom teacher employed by a city or county board of education. Unused sick leave may be converted to membership service only for the purpose of applying for service retirement. Said conversion shall not apply to eligibility for deferred retirement; provided that a person eligible for service retirement, if also eligible for disability retirement, may elect disability retirement and also receive credit for accumulated sick leave pursuant to this section. This section shall not be applicable to any person who is eligible to receive partial payment for accrued sick leave pursuant to § 36-26-36; supra.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. Except for Section 1, the provisions of this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. The provisions of Section 1 of this Act shall be effective with the beginning of the fiscal year ending September 30, 1985, following passage of the Act and approval by the Governor or upon its otherwise becoming a law.

Amend House Bill No. 208, Page 1, Line 21, by inserting after the word Education:

or the Alabama Institute of Deaf & Blind.

In Section 1, page 1, line 38, add a new sentence to read as follows: "No teacher, as a condition to receive personal leave, shall be required to divulge his/her reasons for requesting such leave."

#### Amendment #1

By Senator Parsons:

#### AMENDMENT TO HOUSE BILL 208

In Section 1, page one, line 28, after the word "pay" add the words: "and shall be granted upon request of the teacher."

Yeas 73; Nays 0.

Yeas:

Mr. Speaker, Adams, Blake, Blakeney, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carothers, Carter, Clark (D), Clark (J), Coburn, Coleman, Crow, Davis, Dutton, Fuller, Gaston, Goodwin, Grayson, Hall, Harvey, Hettinger, Holley,

Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, Marietta, Martin, Mathis, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Trammell, Turner, Turnham, Venable, Warren, White (F), White (L) and Zoghby.

—73

And the bill, H. 208 as thus amended, was again read at length and passed.

Yeas 72; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Campbell, Carothers, Carter, Clark (D), Clark (J), Coleman, Cosby, Crow, Davis, Dutton, Fuller, Gaston, Goodwin, Grayson, Hall, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Martin, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Rains, Reed, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Trammell, Turner, Turnham, Venable, Warren, White (F), White (L) and Zoghby.

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#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 458. To create the Motor Fuel Marketing Act in order to protect Alabama's consumers against major oil company monopolies; to encourage fair and honest competition and to safeguard the public against unfair practices involving the sale of motor fuel in wholesale and retail trades; to provide for enforcement of the Act and penalties for violations; and for related purposes as well as to make certain declarations.

McDOWELL LEE,  
Secretary.

#### MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Horn to suspend the rules in order to take up out of order the bill, H. 784, was lost, lacking a four-fifths vote.

Yeas 10; Nays 4.

*Yeas:*

Reps.: Beers, Davis, Escott, Horn, McDowell, McNair, Perdue, Rogers, Spratt and White (G).

—10

*Nays:*

Reps.: Boles, Gray, Nicholson and Trammell.

—4

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 185. To amend Sections 12-19-90, 7-9-403, 7-9-404, 7-9-405, 7-9-406, 7-9-407, 9-11-37, 9-11-47, 9-11-55, 9-11-56, 33-5-10, 33-5-17, 40-12-2, 40-12-15 and 40-12-22, Code of Alabama, 1975, as amended, which relate to the fees and charges for services rendered in the probate offices of this state, so as to provide further for the fees and charges for services rendered in such offices, provided further, however, that no probate judge in this state who is compensated on a fee system shall receive more than \$65,000.00 annually in such fees.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Resolution:

S. J. R. 133. CREATING THE CONTRACT REVIEW PERMANENT LEGISLATIVE OVERSIGHT COMMITTEE.

McDOWELL LEE,  
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

H. 781. To propose an amendment to Amendment No. 83 of the state constitution, which relates to the Jefferson County Judicial Commission so as to alter the manner of appointing the two members to said board who are not members of the state bar association.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Coleman, Cosby, Davis, Dutton, Escott, Ford, Fuller, Gray, Grayson, Grouby, Hall, Hammett, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Lauderdale, Lindsey, McDowell, McNair, Martin, Mathis, Melton, Mitchell, Moore, Newman, Onderdonk, Parker, Payne, Perdue, Pratt, Reed, Rice, Richardson, Rogers,

Sasser, Smith, Spratt, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—78

And the bill:

H. 675. To relate to the City of Birmingham in Jefferson County, Alabama; to amend Sections 3.01, 3.03, 3.12 and 4.01 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, Page 1004), providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, so as to provide that both the Mayor and Council shall take office on the second Tuesday in November of the year of their election; and to further provide that the first meeting of each newly elected council shall be held on the second Tuesday in November of the year of its election.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 41; Nays 0.

*Yeas:*

Mr. Speaker, Beers, Black, Blake, Blakeney, Brakefield, Britnell, Brooks, Browder, Bryant, Buskey (John), Butler, Campbell, Carothers, Carter, Clark (J), Cosby, Crow, Davis, Escott, Grayson, Harvey, Hettinger, Holley, Horn, Johnson (Roy), Junkins, Kennedy, Lauderdale, McDowell, Mathis, Melton, Newman, Onderdonk, Payne, Penry, Rice, Richardson, Rogers, Spratt and White (L).

—41

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 741. Relating to Jefferson County; providing further for the cost and charges in all district court cases and providing for the establishment of a Family Court Probation Fund in the county and the distribution of such funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 28; Nays 1.

*Yeas:*

Mr. Speaker, Beers, Blakeney, Britnell, Brooks, Bryant, Buskey (John), Butler, Carter, Davis, Escott, Gray, Grayson, Harvey, Hettinger, Hooper, Horn, Lauderdale, McDowell, McNair, Melton, Onderdonk, Parker, Perdue, Reed, Rogers, Spratt and White (G).

—28

*Nay:* Rep. Payne.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 841. Relating to the City of Birmingham in Jefferson County; to further amend Section 3.07 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, pp. 1004, et seq.), as amended, also known as the Mayor-Council Act of 1955, so as to provide that the City Council may employ on behalf of said City such employees as said Council may deem necessary to assist the Council, and to provide conditions for inclusion in the general pension system of the municipality.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 37; Nays 2.

Yeas:

Mr. Speaker, Beers, Blakeney, Box, Britnell, Brooks, Bugg, Buskey (James), Buskey (John), Carter, Clark (J), Clark (W), Davis, Escott, Grayson, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (Roy), Kennedy, Lauderdale, McDowell, Martin, Melton, Onderdonk, Parker, Penry, Perdue, Reed, Rogers, Spratt, Tanner, Turner, White (G) and Zoghby.

—37

Nays: Reps. Boles and Payne.

—2

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Hooper, the rules were suspended in order to take up out of order the bill, H. 650.

And the bill:

H. 650. (With Amendment): To amend Section 17-10-5, Code of Alabama 1975, so as to require absentee ballots to be furnished within a certain time period and to require the probate judge to furnish the voting list to the absentee election manager within a certain time period.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Constitution and Elections, said committee amendment being as follows:

Amend House Bill 650 on Page 1, Section 1, line 34 by changing the period to a comma and adding the following language:

provided such ballots have been printed at the time the application for an absentee ballot is received. If the absentee ballots have not been printed

at the time of receipt of the application for an absentee ballot, the absentee election manager shall furnish the ballot not later than one (1) day after the receipt of the printed ballots.

Further amend House Bill 650 on Page 2, Section 1, line 4 by striking after the word "at" the following: ~~least 60 days before the election and~~ and insert in lieu thereof the following:

the same time as the official list of qualified voters is required to be furnished to other election officials

And the amendment was adopted.

Yeas 79; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Beers, Biddle, Black, Blake, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Fuller, Gaston, Gray, Hall, Hammett, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McDowell, McKee, McMillan, Mathis, Melton, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starr, Thomas, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—79

And the bill, H. 650, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Beers, Biddle, Black, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Coburn, Coleman, Cosby, Davis, Dutton, Escott, Fuller, Gaston, Gray, Grayson, Hall, Hammett, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Onderdonk, Parker, Penry, Perdue, Poole, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—79

#### MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Holmes to suspend the rules in order to take up out of order the bill, H. 271, was lost, lacking a four-fifths vote.

Yeas 40; Nays 27.

*Yeas:*

Reps.: Albright, Biddle, Black, Boles, Box, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carothers, Clark (D), Coleman, Crow, Davis, Dutton, Gaston, Grayson, Hall, Harper, Holmes, Hooper, Horn, Johnson (R.G.), Kennedy, Kvalheim, McDowell, McMillan, Marietta, Mathis,

Melton, Onderdonk, Perdue, Reed, Rice, Rogers, Spratt, Starkey, Thomas and Turner.

—40

*Nays:*

Reps.: Adams, Bachus, Beers, Blake, Bowling, Brakefield, Britnell, Clark (W), Flowers, Gray, Hammett, Harvey, Holley, Johnson (Roy), Junkins, Lauderdale, Martin, Mitchell, Newman, Parker, Penry, Pratt, Richardson, Smith, Turnham, Venable and White (L).

—27

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 141. To amend Section 16-1-18, Code of Alabama 1975, relating to school bus drivers and certain full-time support personnel employed by the boards of control of city and county school systems and the Alabama Institute for Deaf and Blind, so as to provide further for the maximum accumulated days not utilized or being paid for sick leave.

And Finds Same Correctly Enrolled.

JIMMY CLARK,  
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 50. To amend Section 26-10-5, Code of Alabama 1975, relating to adoption procedures and rights of natural and adopting parents, so as to provide further for certain rights of natural grandparents of the minor child.

Also:

H. 290. To provide for commercial operation of billiard tables on the premises of businesses located in certain areas of the several counties of this state when such operation has been licensed by the judge of probate as provided in Article 2, Chapter 6, Title 34 of the Code of Alabama 1975.

Also:

H. 471. To provide for the registration of certain persons skilled in the repair, servicing or installing commercial weighing and measuring devices, thereby allowing the removal of condemned tags placed on said de-

vices for the purpose of repair, by said registered service persons or scale mechanics; to authorize the promulgation of rules and regulations by the Commissioner of Agriculture and Industries, with the approval of the State Board of Agriculture and Industries; to provide for yearly registration and renewal upon the payment of \$25.00; to provide for procedures to be followed for revocation, suspension or refusing to renew the registration or refusing to initially register; to provide for hearing before the Commissioner of Agriculture and Industries and appeals before the State Board of Agriculture and Industries.

Also:

H. 625. To create the Alabama Indian Affairs Commission; to provide for its duties and membership; to provide the method of appointment and compensation of said members; and to repeal Sections 41-9-700 through 41-9-707, Code of Alabama 1975.

And Finds Same Correctly Enrolled.

JIMMY CLARK,  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Carothers, the rules were suspended in order to take up out of order the bill, H. 567.

And the bill:

H. 567. To exempt any orthotic devices, human body drainage, including pouches, seals, and appliances, collection and irrigating equipment, post-operative dressings, or other therapeutic products or devices, vitamins, minerals and dietary supplements, which are used, sold, furnished, dispensed or prescribed by any physician, as defined in this Act, in the performance of his professional services from any city, county and state sales tax, and to make such exemptions retroactive.

Was taken up.

### SUBSTITUTE OFFERED

Rep. Moore offered the following substitute to the bill, H. 567:

#### A BILL TO BE ENTITLED AN ACT

To exempt vitamins, minerals and dietary supplements, which are used, sold, furnished, dispensed or prescribed by any physician, as defined in this Act, in the performance of his professional services from any city, county and state sales tax, and to make such exemptions retroactive.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) Any vitamins, minerals and dietary supplements,



which are used, sold, furnished, dispensed or prescribed by any physician as defined herein, in the performance of his professional services shall be exempt from any city, county and state sales tax.

(b) The term "physician" as used in this Act shall include medical doctor, surgeon, chiropractor, orthodontist, and podiatrist.

Section 2. The exemption provided for in Section 1 shall be in addition to any and all exemptions from sales tax provided for in Article 1 of Title 40, Revenue and Taxation, Code of Alabama 1975, as last amended.

Section 3. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which still remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

#### SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 70; Nays 0.

*Yeas:*

Mr. Speaker, Beers, Blake, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Fuller, Gaston, Hall, Hammett, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lindsey, McKee, McMillan, Martin, Mathis, Melton, Mitchell, Moore, Newman, Onderdonk, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Venable, Warren, White (F) and Zoghby.

—70

And the bill:

H. 567. To exempt vitamins, minerals and dietary supplements, which are used, sold, furnished, dispensed or prescribed by any physician, as defined in this Act, in the performance of his professional services from any city, county and state sales tax, and to make such exemptions retroactive.

As thus amended, was read a third time at length, passed and ordered engrossed.

Yeas 80; Nays 0.

*Yeas:*

Mr. Speaker, Bachus, Beers, Black, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Fuller, Gaston, Goodwin, Grouby, Hall, Hammett, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, Mathis, Melton, Mitchell, Moore,

Newman, Onderdonk, Parker, Payne, Perdue, Poole, Pratt, Preuitt, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—80

### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Holley, the rules were suspended in order to take up out of order the bill, H. 697.

And the bill:

H. 697. To amend Section 40-2-64, Code of Alabama 1975 so as to remove the limitation of the number of assistant counsels which may be appointed to transact the legal business of the Department of Revenue.

As amended on the twenty-fourth legislative day, and the pending amendments were taken up.

### SUBSTITUTE AMENDMENT ADOPTED

The question was then on the adoption of the substitute amendment offered By Rep. Laird on the twenty-fourth legislative day, and the substitute amendment was adopted.

Yeas 77; Nays 4.

*Yeas:*

Mr. Speaker, Adams, Bachus, Beers, Black, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Crow, Davis, Dutton, Faulk, Fuller, Gaston, Goodwin, Gray, Grouby, Hall, Harper, Hettinger, Holley, Holmes, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, Martin, Mathis, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starr, Tanner, Turner, Turnham, Venable, Warren, White (G), White (L) and Zoghby.

—77

*Nays:*

Reps.: Butler, Cosby, Rains and Sasser.

—4

And the bill, H. 697, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 7.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Black, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Crow, Davis, Dutton, Escott, Faulk, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Harper, Harvey, Hettinger, Holley, Holmes, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McMillan, Martin, Mathis, Melton, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Pratt,

Reed, Rice, Richardson, Rogers, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (L) and Zoghby.

—82

Nays:

Reps.: Butler, Cosby, Hooper, McKee, Payne, Rains and White (G).

—7

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Johnson (Roy), the rules were suspended in order to take up out of order the bill, H. 754.

And the bill:

H. 754. To create and establish a Natural Heritage Program in the State Parks Division of the Alabama Department of Conservation and Natural Resources; to provide for the primary purposes and location of the Natural Heritage Program; to define the responsibilities and duties of the Natural Heritage Program staff; to create a Natural Areas Advisory Committee and its duties and responsibilities; to provide for a registry of natural areas and a process for registration and rescission of registration; to provide for public access to registered areas; to create the Alabama Natural Heritage Trust Commission and its duties and responsibilities; to create an Alabama Natural Heritage Trust and provide for the composition and substantive terms thereof; to provide for the management of said trust; to provide for limited circumstances in which condemnation of any property in said trust may occur; to provide for the promulgation of rules and regulations pursuant to this act and penalties thereof; to provide for funding requests in annual budgets for costs and operating expenses; to provide for the expenditure of trust assets and income; to define the protective provisions of this act; to provide for the sale and issuance of use permits for heritage preserves, and to provide for user or subscription fees for natural area inventory information and protection of said information; and to provide for advertisement of and solicitation of donations to the Alabama Natural Heritage Program.

WHEREAS, the Alabama Legislature finds that as a part of the continuing growth of the population and development of the economy of the State it is necessary and desirable that portions of the State's rich natural and cultural diversity be set aside as heritage preserves and sites and protect it for the benefit of present and future generations, for once disturbed they cannot be wholly restored; and

WHEREAS, such areas and features are irreplaceable as laboratories for scientific research; as reservoirs of natural materials for which the value and usefulness thereof is not yet fully known; as habitats for rare and vanishing species; and as living museums where people may observe natural biotic and environmental systems and as areas for study and enjoyment as examples of the lands, structures and related artifacts which represent significant parts of our natural and cultural heritage; and

WHEREAS, a number of independent and differing efforts, both private as well as public, have been initiated to protect some of these assets, a coordinated and concerted program is needed in order to avoid duplication and/or conflict among these and other valuable activities and to insure the maximum conservation of these resources through the establishment of a

more effective and adequate official legal mechanism for identifying and recognizing and protecting such areas for their outstanding characteristics; and

WHEREAS, it is necessary and desirable to coordinate and share natural heritage information with the other southeastern states; now, therefore,

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 1.

Yeas:

Mr. Speaker, Adams, Albright, Beers, Black, Blake, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Faulk, Ford, Fuller, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, Martin, Mathis, Melton, Mitchell, Nicholson, Onderdonk, Parker, Payne, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—86

Nay: Rep. Newman.

—1

#### CO-SPONSORS ADDED

The following were added as co-sponsors to the bill, H. 754:

Mr. Speaker, Adams, Albright, Bachus, Beers, Blake, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Faulk, Fuller, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Lindsey, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Thomas, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

#### MOTION TO SUSPEND RULES ADOPTED

On motion on Rep. Hettinger, the rules were suspended in order to take up out of order the bill H. 80.

And the bill:

H. 80. To provide that each municipality in the State of Alabama shall have the authority to enter into binding option agreements with respect to any land held by it as the site of an industrial park, subject to certain conditions and limitations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

*Yeas:*

Reps. Adams, Beers, Black, Blake, Bowling, Box, Brakefield, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (F), Clark (G), Clark (W), Coburn, Coleman, Cosby, Davis, Dutton, Faulk, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, Martin, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Parker, Payne, Perdue, Poole, Pratt, Preuitt, Rains, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—79

### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Junkins, the rules were suspended in order to take up out of order the bill H. 743.

And the bill:

H. 743. (With Substitute): To amend Sections 33-16-7, 33-16-9 and 33-16-11 of the Code of Alabama 1975 to authorize the Coosa Valley Development Authority to undertake certain additional types of obligations, to modify certain restrictions pertaining to the contractual obligations of said authority, to provide that certain contracts between said authority and the United States shall not be subject to certain requirements generally applicable to contracts of said authority and to clarify the respective responsibilities of said authority and the state docks department with respect to the provision and maintenance of river and canal terminals.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

### A BILL TO BE ENTITLED AN ACT

To amend Sections 33-16-7, 33-16-9 and 33-16-11 of the Code of Alabama 1975 to authorize the Coosa Valley Development Authority to undertake certain additional types of obligations, to modify certain restrictions pertaining to the contractual obligations of said authority, to provide that certain contracts between said authority and the United States shall not be subject to certain requirements generally applicable to contracts of said authority and to clarify the respective responsibilities of said authority and the state docks department with respect to the provision and maintenance of river and canal terminals.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 33-16-7 of the Code of Alabama 1975 is hereby amended to read as follows:

Section 33-16-7. Duties and obligations which may be undertaken. The authority may undertake and discharge the duties and obligations set forth in this section as follows:

In connection with the waterway, the authority may do or cause to be done the following:

(1) Construct, improve, maintain and operate all highway and railroad bridges necessitated by the waterway and construct and maintain all highway relocations and alterations necessitated by the waterway;

(2) Construct, improve, maintain and operate all river and canal terminals necessitated by the waterway;

(2)(3) Construct and maintain all alterations in sewer, water supply and drainage facilities necessitated by the waterway;

(3)(4) Assume any increased cost necessitated by the waterway in connection with maintaining and operating utility crossings.

It is the intention of the legislature to make the scope of the foregoing duties and obligations which may be undertaken by the authority commensurate with the corresponding requirements of local contribution and participation established by the River and Harbor Act of March 2, 1945, Public Law 14, 79th Congress, 1st Session (1945) and by other provisions of federal law (including duly adopted rules and regulations of agencies of the United States) which pertain to the respective responsibilities of the authority and the United States with respect to the development of the waterway. In particular, in connection with the construction, improvement or relocation of any highway or railroad bridge, the authority may pay such portion of the total cost of such construction, improvement or relocation as may be apportioned, without regard to the cost of improvements unrelated to navigation, to the owner of such bridge pursuant to the provisions of the Truman-Hobbs Act of June 21, 1940, Public Law 647, 76th Congress (1940), as amended, regardless of whether such bridge is owned by the authority or by a party other than the authority; provided, however, that, if such bridge is owned by the authority, the state, any municipality in the state or any other political subdivision or instrumentality of the state, the authority may pay all of the costs of such construction, improvement or relocation, except for such portion thereof as may be apportioned to the United States pursuant to the provisions of the aforesaid Truman-Hobbs Act of June 21, 1940, as amended.

Section 2. Section 33-16-9 of the Code of Alabama 1975 is hereby amended to read as follows:

Section 33-16-9. Contracts. The aggregate monetary obligation that the authority may incur in connection with its contracts (other than contracts of the type described in the next succeeding paragraph) shall not at any time exceed the sum of

(1) Any uncommitted or unencumbered moneys then appropriated to the authority by the legislature, and

(2) Any uncommitted or unencumbered proceeds of bonds available or to become available from bonds then authorized by the authority and approved by the Governor pursuant to section 33-16-12.

No contract involving which is subject to the foregoing restriction and which involves the expenditure of money, whether now or later, shall be approved or ratified by the board of directors unless the resolution approving or ratifying the same shall include a determination that there will be compliance with the preceding limitation when the amount of the obligation of the contract in question has been added to the already existing obliga-

tions of the authority. This determination by the board of directors shall be conclusive of the question of compliance.

The restriction set forth in the preceding paragraph shall not apply to any contract between the authority and the United States, or an agency thereof, pursuant to which the authority agrees to satisfy the requirements of local contribution and participation with respect to a project related to the development of the waterway. Prior to the execution of any such contract between the authority and the United States or an agency thereof, the board of directors of the authority shall adopt a resolution approving such contract, which resolution shall include a determination that the moneys expected to be available to the authority for the payment of its monetary obligations (if any) under such contract will be sufficient to pay such monetary obligations.

Except as otherwise provided in the last paragraph of this section, ★ all contracts of the authority for the construction, reconstruction, relocation, maintenance and operation of highways, roads and bridges, and work incidental or related thereto, and the acquisition of property necessary therefor, shall be in writing, shall be subject to the rules and regulations and shall be let under the supervision of the highway department and shall be subject to approval by the governor and by the highway department. All work provided for in any such contract shall be supervised by the highway department. All persons engaging in the supervision or performance of any work involving highways, roads and bridges that may be done by the authority without the award of a contract therefor shall be employees of the highway department.

Except as otherwise provided in the last paragraph of this section, ★ all contracts of the authority for the construction, reconstruction or relocation of any facilities or structures and all purchases of equipment by the authority shall be made on the basis of competitive bidding in the manner and according to the procedures provided in Sections 39-2-1 through 39-2-13 and 41-16-20 through 41-16-32, and any other applicable statutes.

In connection with the construction, reconstruction or relocation of highways, roads and bridges, and the acquisition of property necessary therefor, the authority may enter into contracts with the United States, or an agency thereof, pursuant to which the work related to any such construction, reconstruction or relocation shall be performed, and any property necessary therefor shall be acquired, by the United States, or an agency thereof, or by one or more contractors selected by the United States, or an agency thereof. Any such contract between the authority and the United States, or an agency thereof, shall not be subject to the requirements and restrictions (including, without limitation, the requirements with respect to competitive bidding) set forth in the two immediately preceding paragraphs of this section.

Section 3. Section 33-16-11 of the Code of Alabama 1975 is hereby amended to read as follows:

Section 33-16-11. Authority of state docks department. Provision and Maintenance of Terminals. In connection with the navigational use of the waterway, the state docks department authority is hereby authorized to provide and construct, improve, maintain and operate suitable and adequate river and canal terminals in accordance with plans approved by the secretary of the army of the United States and the chief of engineers of the United States army; provided that any obligations undertaken by the au-

thority in connection with the provision and maintenance of such terminals may be delegated by the authority to the state docks department.

Section 4. The provisions of this Act are severable. If any provision of this Act shall be declared invalid, unconstitutional or void, the balance of this Act shall remain in full force and effect.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 81; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Beers, Black, Blake, Bowling, Box, Brakefield, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Ford, Fuller, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, Martin, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Parker, Perdue, Poole, Pratt, Preuitt, Rains, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

—81

And the bill, H. 743, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 1.

*Yeas:*

Mr. Speaker, Adams, Beers, Black, Blake, Bowling, Box, Brakefield, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Ford, Fuller, Gaston, Goodwin, Gray, Grouby, Hammett, Harper, Harvey, Hettinger, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, Marietta, Martin, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Perdue, Poole, Pratt, Preuitt, Rains, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

—80

*Nay:* Rep. Holley.

—1

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. 84. To further amend the probate laws so as to clarify certain inconsistencies in portions of the "Probate Code" and probate laws by amending Sections 43-2-230, 43-2-231, 43-2-312, 43-2-313, 43-2-315, 43-2-316, 43-2-336, 43-2-412, 43-2-441, 43-2-442, 43-2-450, 43-2-510, 43-8-114, 43-



8-132, as amended and repealing Sections 43-2-314, 43-2-317, 43-2-449, 43-2-466 as amended, of the Code of Alabama.

Also:

S. 185. To amend Sections 12-19-90, 7-9-403, 7-9-404, 7-9-405, 7-9-406, 7-9-407, 9-11-37, 9-11-47, 9-11-55, 9-11-56, 33-5-10, 33-5-17, 40-12-2, 40-12-15 and 40-12-22, Code of Alabama, 1975, as amended, which relate to the fees and charges for services rendered in the probate offices of this state, so as to provide further for the fees and charges for services rendered in such offices, provided further, however, that no probate judge in this state who is compensated on a fee system shall receive more than \$65,000.00 annually in such fees.

Also:

S. 334. To adopt and incorporate into the Code of Alabama 1975 all general and permanent laws of the State adopted by the Legislature during the 1983 First and Second Special Sessions and the 1983 Regular Session, and contained in the 1983 Cumulative Supplement to the Code of Alabama 1975 and the 1983 Replacement Volume 17 of the Code, and to make certain corrections in such cumulative supplement and replacement volume.

S. J. R. 133. CREATING THE CONTRACT REVIEW PERMANENT LEGISLATIVE OVERSIGHT COMMITTEE.

McDOWELL LEE,  
Secretary.

#### SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles has been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harvey, the rules were suspended in order to take up out of order the bill, H. 201.

And the bill:

H. 201. To amend Section 37-3-32 relating to Public Service Commission appropriations and increasing the registration fees of motor carrier vehicles.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 4.

Yeas:

Mr. Speaker, Adams, Black, Blake, Boles, Bowling, Box, Brakefield, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Ford, Fuller, Hall, Hammett, Harvey, Hettinger, Holley, Holmes, Horn, Johnson (R.G.), Johnson (Roy), Kvalheim, Laird, Lauderdale, Lindsey, Martin, Mathis, Melton, Mitchell, Moore, Nicholson, Parker, Penry, Perdue, Pratt, Preuitt, Rice, Richardson,

Rogers, Spratt, Starkey, Starr, Trammell, Venable, Warren, White (G), White (L) and Zoghby.

—67

Nays:

Reps.: Gray, Rains, Smith and Tanner.

—4

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Kennedy, the rules were suspended in order to take up out of order the bills, H. 901 and H. 902.

And the bill:

H. 901. To make provision for the financing and acquisition, construction, equipment and improvement from time to time of docks facilities in the state and to finance such acquisition, construction, equipment and improvements by the issuance of revenue bonds of the Alabama State Docks Department when the Department, with the approval of the governor, shall determine that the issuance of such bonds is necessary for payment of the costs of acquiring, constructing, equipping and improving docks facilities operated or to be operated by the said Department; to authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time its revenue bonds in such aggregate principal amount as said Department, with the approval of the Governor, may deem advisable for such purposes; to provide that certain bonds issued by the Industrial Development Board of the City of Mobile, Alabama, certain bonds issued by the State, and bonds at any time issued by Alabama State Docks Department or any of them, and at the time outstanding, and the interest thereon may be refunded through the issuance by the Department of refunding bonds; to provide that proceeds of the bonds issued under this Act may be used to purchase property owned by the Industrial Development Board of the City of Mobile, Alabama, and leased to Alabama State Docks Department and to prepay said Department's lease obligations to said Board; to provide that the Department shall determine the manner, terms and conditions of the sale or sales of the bonds authorized to be issued under this Act, and to make provisions respecting such sale or sales and the application of the proceeds from the sale or sales thereof; to provide for the method of execution of said bonds and other details pertaining thereto; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely out of the revenues of the Department pledged in this Act; to provide that the bonds authorized to be issued under this Act and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the State and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to provide for the defeasance of said bonds; to authorize the Department to continue to collect all charges and other fees presently imposed and collected by the Department; to pledge funds necessary to pay the principal of, premium, if any, and interest on said bonds; to authorize the Department to pledge for payment of the said principal of, premium, if any, and interest on said bonds the moneys pledged in this Act for that purpose; to preserve outstanding appropriations, pledges and covenants made by the State or the Department; to authorize the Department to covenant to maintain its charges and other fees; to authorize the establishment of a special debt service account to be held by the State Treasurer

and used to pay debt service on bonds to be issued under this Act out of moneys paid into such account by the Department; to permit reserve funds for the benefit of outstanding bonds to be used by the Department to provide additions to docks facilities; to provide that if any portion of this Act is held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

Was taken up.

SUBSTITUTE OFFERED

Rep. Turner offered the following substitute to the bill, H. 901:

A BILL  
TO BE ENTITLED  
AN ACT

To make provision for the financing and acquisition, construction, equipment and improvement from time to time of docks facilities in the state and to finance such acquisition, construction, equipment and improvement by the issuance of revenue bonds of the Alabama State Docks Department when the Department, with, the approval of the governor, shall determine that the issuance of such bonds is necessary for payment of the costs of acquiring, constructing, equipping and improving docks facilities operated or to be operated by the said Department; to authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time its revenue bonds in such aggregate principal amount as said Department, with the approval of the Governor, may deem advisable for such purposes; to provide that certain bonds issued by the Industrial Development Board of the City of Mobile, Alabama, certain bonds issued by the State, and bonds at any time issued by Alabama State Docks Department or any of them, and at the time outstanding, and the interest thereon may be refunded through the issuance by the Department of refunding bonds; to provide that proceeds of the bonds issued under this Act may be used to purchase property owned by the Industrial Development Board of the City of Mobile, Alabama, and leased to Alabama State Docks Department and to prepay said Department's lease obligations to said Board; to provide that the Department shall determine the manner, terms and conditions of the sale or sales of the bonds authorized to be issued under this Act, and to make provisions respecting such sale or sales and the application of the proceeds from the sale or sales thereof; to provide for the method of execution of said bonds and other details pertaining thereto; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely out of the revenues of the Department pledged in this Act; to provide that the bonds authorized to be issued under this Act and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the State and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to provide for the defeasance of said bonds; to authorize the Department to continue to collect all charges and other fees presently imposed and collected by the Department; to pledge funds necessary to pay the principal of, premium, if any, and interest on said bonds; to authorize the Department to pledge for payment of the said principal of, premium, if any, and interest on said bonds the moneys pledged in this Act for that purpose; to preserve outstanding appropriations, pledges and covenants made by the State or the Department; to authorize the Department to covenant to maintain its charges and other fees; to authorize the estab-

lishment of a special debt service account to be held by the State Treasurer and used to pay debt service on bonds to be issued under this Act out of moneys paid into such account by the Department; to permit reserve funds for the benefit of outstanding bonds to be used by the Department to provide additions to docks facilities; to provide that if any portion of this Act is held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. **Definitions.** Where used in this Act the following words and terms shall be given the following respective meanings unless the context hereof clearly indicates otherwise:

"Code" means the Code of Alabama 1975, as amended.

"Department" means Alabama State Docks Department created in Chapter 1 of Title 33 of the Code.

"Director" means the Director of State Docks provided for in Section 3 of Chapter 1 of Title 33 of the Code.

"Docks Facilities" means docks and all kinds of docks facilities, including elevators, compresses, conveyors, warehouses, water and rail terminals, bulk handling facilities, coal handling facilities, grain elevator facilities, wharves, piles, quays, cold storage facilities, loading and unloading facilities, and other related structures, facilities, equipment, property and improvements of every kind needful for the convenient use of same, in aid of commerce and use of the waterways of the State, now or hereafter existing, that are now or hereafter owned or held, are or are to be under the management and control of the Department and are located along navigable rivers, streams or waterways now or hereafter existing within the State.

"Docks Facilities Revenues" means all gross revenues of the Department derived from charges made by the Department for all services provided by the Department to, and for the use of Docks Facilities by, persons using any of the Docks Facilities, including all special handling and processing charges, tariffs, surcharges and other fees, but excluding any amounts received by the Department from State taxes or licenses or from appropriations to the Department made by the State.

"Docks Facilities Revenue Bonds" means the revenue bonds authorized in Section 2 of this Act to be sold and issued by the Department.

"Government Securities" means any bonds or other obligations which as to principal and interest constitute direct obligations of, or are unconditionally guaranteed by, the United States of America, including obligations of any federal agency to the extent such obligations are unconditionally guaranteed by the United States of America and any certificates or any other evidences of an ownership interest in such obligations of, or unconditionally guaranteed by, the United States of America or in specified portions thereof (which may consist of the principal thereof or the interest thereon).

"Industrial Board Bonds" means those bonds of the Industrial Development Board, dated February 1, 1981, and issued to provide funds for the construction, lease and purchase of the Industrial Board Project and for other purposes related thereto.

"Industrial Board Project" means certain additions to the Docks Facilities financed through the issuance of the Industrial Board Bonds and leased

to the Department by the Industrial Development Board pursuant to a Lease and Agreement dated as of February 1, 1981.

"Industrial Development Board" means The Industrial Development Board of the City of Mobile, Alabama, a public corporation and instrumentality that was organized and is existing under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature, as amended (codified as Article 4 of Chapter 54 of the Code).

"Legislature" means the Legislature of Alabama.

"Outstanding Bonds" means any Docks Facilities Revenue Bonds issued under this Act, any Refunding Bonds issued under this Act, the Seaport Facility Bonds, the State General Obligation Docks Bonds and the Industrial Board Bonds, at any time issued and outstanding.

"Refunding Bonds" means those refunding bonds authorized in Section 3 of this Act to be sold and issued by the Department.

"Seaport Facility Bonds" means the Department's Seaport Facility Revenue and Special Excise Tax Bonds, dated March 1, 1972, issued pursuant to Act No. 64 enacted at the 1971 First Special Session of the Legislature, as amended, and the Department's Seaport Facility Revenue Bonds, Series 1978, dated November 1, 1978, issued pursuant to Act No. 703 enacted at the 1976 Regular Session of the Legislature, as amended.

"State" means the State of Alabama.

"State General Obligation Docks Bonds" means the General Obligation Docks Expansion Bonds of the State, dated March 1, 1966, the General Obligation Docks Capital Extension Bonds of the State, dated March 1, 1968, and the General Obligation Docks Facilities Bonds, Series 1970, of the State, dated September 1, 1970.

"State Treasurer" means the State Treasurer of the State.

Section 2. Authorization to Issue Docks Facilities Revenue Bonds. The Department, with the approval of the Governor, may from time to time and at any time, issue its Docks Facilities Revenue Bonds in such aggregate principal amounts as the Department, with the approval of the Governor, may determine to be advisable, for the purpose of providing funds for the acquisition, construction, equipment or improvement of Docks Facilities, together with the expenses incident to the authorization, issuance and sale of such Docks Facilities Revenue Bonds. The cost of so acquiring, constructing, equipping and improving such Docks Facilities shall be deemed to include interest that will either accrue or become payable on the Docks Facilities Revenue Bonds issued therefor during the period required for the acquisition, construction, equipment and improvement of such Docks Facilities, plus a period not exceeding six months after the completion thereof. The powers conferred on the Department by this Act are in addition to all powers heretofore conferred on the Department by the Constitution and laws of Alabama.

Section 3. Authorization to Issue Refunding Bonds. Subject to the provisions contained in this Act, the Department may from time to time sell and issue its Refunding Bonds for the purpose of refunding any or all of the Outstanding Bonds then outstanding, together with any interest thereon whether due and unpaid at the time of issuance of such Refunding Bonds or not, and with any premium that may be necessary to be paid in order to redeem or retire those Outstanding Bonds proposed to be refunded.

In the discretion of the Department, with the approval of the Governor, Refunding Bonds may be issued in exchange for Outstanding Bonds or they may be sold and the proceeds thereof applied to the purchase, redemption or payment of Outstanding Bonds. Refunding Bonds to be issued in exchange for Outstanding Bonds may be issued in such principal amount as the Department shall determine. Refunding Bonds to be sold may be issued in such principal amount as shall be determined by the Department, provided that such Refunding Bonds shall not be sold and issued in an aggregate principal amount exceeding the sum of (i) the outstanding principal amount of the Outstanding Bonds to be refunded, (ii) the interest accrued and to accrue on the Outstanding Bonds to be refunded until the respective maturities thereof, or if the Outstanding Bonds to be refunded are to be called for redemption (either on the earliest date on which under their terms they may be redeemed or some later date or dates), the interest accrued and to accrue thereon until the date or dates on which they are to be called for redemption, (iii) the amount of any redemption premium required, by the terms of the Outstanding Bonds, to be paid as a condition to their redemption prior to their respective maturities, (iv) the amount, if any, required to be deposited in an interest account or a reserve account, and (v) the amount of any expenses (actual or estimated) of such refunding, including without limitation, the expenses of selling and issuing the Refunding Bonds (including any discount reflected in the purchase price thereof paid to the Department), bond insurance premiums, fees and disbursements of attorneys, accountants, financial advisors and other consultants, fees and disbursements of trustees and escrow agents, printing costs and other customary bond issuance expenses.

**Section 4. Details Respecting the Docks Facilities Revenue Bonds and Refunding Bonds.** The Docks Facilities Revenue Bonds and the Refunding Bonds shall be in such forms and denominations and of such tenor and maturities (either serial or term or a combination thereof), provided that no Docks Facilities Revenue Bond or Refunding Bond shall have a specified maturity date, including sinking fund redemptions, later than thirty years after its date, shall bear such rate or rates of interest (including a zero rate of interest) payable and evidenced in such manner, and may contain other provisions not inconsistent with this Act, all as may be provided in the order or orders of the Director in which the Docks Facilities Revenue Bonds or the Refunding Bonds, respectively, are authorized to be issued; provided, that no such order shall be valid without the written approval of the Governor.

Notwithstanding any other provision of this Act to the contrary, the Director may, in connection with the issuance of Docks Facilities Revenue Bonds and Refunding Bonds pursuant to this Act, provide by order for places of payment (either within or without the State); registration provisions; exchange privileges; method of delivery; entering into contracts with banks and trust companies located either within or without the State to act as registrars, paying agents, transfer agents, depositories for safekeeping, agents for the delivery and payment of bonds, authenticating agents or otherwise; and covenants for the security and better marketability of the Docks Facilities Revenue Bonds and Refunding Bonds, including but not limited to the establishment of an interest account to be funded with the proceeds of Docks Facilities Revenue Bonds or Refunding Bonds for the payment of interest on such bonds, and the establishment of reserves or sinking funds to secure or to pay such Docks Facilities Revenue Bonds or Refunding Bonds, incident to or necessary or convenient to the purposes of the Department and the provision for the investment of such interest accounts or

reserves or sinking funds at the direction of the Department. The Department may, in the order or orders of the Director under which any of the Docks Facilities Revenue Bonds or the Refunding Bonds are issued, retain an option to redeem all or any thereof at such redemption price or prices and after such notice or notices and on such terms and conditions and at such time to times as may be set forth in the said order or orders and as may be briefly recited on the Docks Facilities Revenue Bonds or the Refunding Bonds with respect to which such option of redemption is retained.

Section 5. Execution of Docks Facilities Revenue Bonds and Refunding Bonds. The Docks Facilities Revenue Bonds and Refunding Bonds shall be signed by the Director and attested by the Secretary-Treasurer of the Department, and all interest coupons (if any) applicable to the Docks Facilities Revenue Bonds or Refunding Bonds shall be signed by the Director; provided, that a facsimile of the signatures of either or both of said officers may be printed or otherwise reproduced on any of the Docks Facilities Revenue Bonds or Refunding Bonds in lieu of their being manually signed, and a facsimile of the Director's signature may be printed or otherwise reproduced on any of the interest coupons in lieu of their being manually signed. The seal of the Department shall be impressed on the Docks Facilities Revenue Bonds and Refunding Bonds, provided that a facsimile of the said seal may be printed or otherwise reproduced on any of the Docks Facilities Revenue Bonds or Refunding Bonds in lieu of being manually impressed thereon.

Section 6. Sale of Docks Facilities Revenue Bonds or Refunding Bonds. Docks Facilities Revenue Bonds and Refunding Bonds may be sold by the Department from time to time in series, and if sold in more than one series may all be authorized in one initial order of the Director with the pledges therefor made in such initial order, notwithstanding that details applicable to each series may be specified in the respective orders under which such series are issued. Each series of the Docks Facilities Revenue Bonds or Refunding Bonds may be sold at public or private sale, as determined by the Director, at such price or prices as the Director shall determine, and if sold at public sale either on sealed bids or at public auction, to the bidder whose bid reflects the lowest total net interest cost to the Department for the series of the Docks Facilities Revenue Bonds or Refunding Bonds being sold, computed from the date of those at the time being sold to their respective maturities and taking into account any premium or discount named in the bid therefor; provided, that if in the event of public sale of the Docks Facilities Revenue Bonds or Refunding Bonds no bid acceptable to the Department is received it may reject all bids. Notice of each public sale shall be given by publication in either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a newspaper published in the State which is customarily published not less than five days during each calendar week, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The Director may fix the terms and conditions under which each such sale may be held; provided, that such terms and conditions shall not conflict with any of the requirements of this Act. Approval by the Governor of the terms and conditions under which any of the Docks Facilities Revenue Bonds or Refunding Bonds may be issued shall be requisite to their validity. The Governor's approval shall be in writing and shall be entered on the order of the Director in which the series of the Docks Facilities Revenue Bonds or Refunding Bonds proposed to be issued are authorized or sold. Such approval by the Governor may be shown on any series of the Docks Facilities Revenue Bonds or Refunding Bonds by a facsimile of his signa-

ture printed or otherwise reproduced thereon when authorization of such action is contained in the approval signed by him. Neither a public hearing nor consent by the Department of Finance of the State or any other department or agency shall be a prerequisite to the issuance of any of the Docks Facilities Revenue Bonds or Refunding Bonds.

Section 7. Docks Facilities Revenue Bonds and Refunding Bonds to be Limited Obligations; Pledge Therefor; Negotiable Instruments. The Docks Facilities Revenue Bonds and Refunding Bonds shall not be general obligations of the Department but shall be payable solely out of Docks Facilities Revenues. As security for the payment of the principal of, premium, if any, and interest on the Docks Facilities Revenue Bonds and Refunding Bonds issued by it under this Act, the Department is hereby authorized and empowered to pledge for payment of the said principal, premium, if any, and interest all or any part of the Docks Facilities Revenues. All contracts made and all Docks Facilities Revenue Bonds and Refunding Bonds issued by the Department pursuant to the provisions of this Act shall be solely and exclusively obligations of the Department and shall not be an obligation or debt of the State. The Docks Facilities Revenue Bonds and Refunding Bonds, except while registered, shall be construed to be negotiable instruments although payable solely from a specified source as herein provided.

Section 8. Income on Docks Facilities Revenue Bonds and Refunding Bonds Exempt from Taxation; Docks Facilities Revenue Bonds and Refunding Bonds May be Used to Secure Deposit and for Investment of Fiduciary Funds. Docks Facilities Revenue Bonds and Refunding Bonds and the income therefrom shall be exempt from all taxation in the State. Any of the Docks Facilities Revenue Bonds or Refunding Bonds may be used by the holder thereof as security for the deposit of any funds belonging to the State or to any instrumentality or agency of the State in any instance where security for such deposits may be required by law. Unless otherwise directed by the court having jurisdiction thereof, or by the document that is the source of power, a trustee, executor, administrator, guardian, or one acting in any other fiduciary capacity may, in addition to any other investment powers conferred by law and with the exercise of reasonable business prudence, invest fiduciary funds in any of the Docks Facilities Revenue Bonds or Refunding Bonds.

Section 9. Use of Proceeds of Refunding Bonds. The proceeds of Refunding Bonds shall be applied, together with any other moneys legally available therefor to the payment of the expenses authorized by this Act and to the payment of the principal of, premium, if any, and interest due and to become due on any Outstanding Bonds to be refunded thereby and, if so required by order of the Director, shall be deposited by the Department, with one or more trustees or escrow agents, which trustees or escrow agents shall be trust companies or national or state banks, located either within or without the State, having powers of a trust company, in an interest account to pay interest on Refunding Bonds, and in a reserve account to further secure the payment of the principal of, premium, if any, and interest on any Refunding Bonds. Proceeds of Refunding Bonds may also be applied to repay the Department's lease obligations with respect to the Industrial Board Project. To the extent not required for the immediate payment of Outstanding Bonds or for deposit into an interest account or a reserve account, proceeds of Refunding Bonds together with any other moneys legally available therefor, shall be deposited in trust, on such terms as the Director shall approve, with one or more trustees or escrow agents, which trustees or escrow agents shall be trust companies or national or state banks, located either within or without the State, having powers of a trust company. Any



such proceeds or moneys deposited in trust with one or more trustees or escrow agents shall be applied solely to the payment when due of the principal of, premium, if any, and interest due and to become due on the Outstanding Bonds to be refunded thereby on or prior to the redemption date or maturity date thereof, as the case may be. Any such proceeds or moneys so deposited with one or more trustees or escrow agents, may be invested in Government Securities; provided, such Government Securities shall not be subject to redemption prior to their maturity other than at the option of the holder thereof. Except as provided in the immediately succeeding sentence, neither the Government Securities nor moneys so deposited with one or more trustees or escrow agents shall be withdrawn or used for any purpose other than, and shall be held in trust for, the payment of the principal of, premium, if any, and interest on such Outstanding Bonds to be refunded thereby; provided that any cash received from such principal or interest payments on such Government Securities deposited with one or more trustees or escrow agents, (a) to the extent such cash will not be required at any time for such purpose, shall be paid over by said trustees or escrow agents to the Department, as received, and (b) to the extent such cash will be required for such purpose at a later date, shall, to the extent practicable and legally permissible, be reinvested in Government Securities maturing at times and in amounts sufficient to pay when due the principal of, premium, if any, and interest on such Outstanding Bonds on and prior to such redemption date or maturity date thereof, as the case may be, and interest earned from such reinvestment to the extent not required for the payment of such Outstanding Bonds shall be paid over by said trustees or escrow agents to the Department, as received. Notwithstanding anything to the contrary contained herein, (a) moneys on deposit pursuant to the provisions of this section may be applied and Government Securities so deposited may be redeemed and sold and the proceeds thereof applied to (i) the purchase of the Outstanding Bonds which were refunded by the deposit with the trustee or escrow agent of such moneys and Government Securities and immediately thereafter all Outstanding Bonds so purchased shall be cancelled, or (ii) the purchase of different Government Securities; provided, however, that the moneys and Government Securities on deposit with one or more trustees or escrow agents after such purchase and cancellation of such Outstanding Bonds or such purchase of different Government Securities shall be sufficient to pay when due the principal of, premium, if any, and interest on all other Outstanding Bonds in respect of which such moneys and Government Securities were deposited on or prior to the redemption date or maturity date thereof, as the case may be; and (b) in the event that on any date, as a result of any purchases and cancellations of Outstanding Bonds or any purchases of different Government Securities as provided in this sentence, the total amount of moneys and Government Securities remaining on deposit with the trustee or escrow agent, is in excess of the total amount which would have been required to be deposited with the or trustee or escrow agent on such date in respect of the remaining Outstanding Bonds for which such deposit was made in order to pay when due the principal of, premium, if any, and interest on such remaining Outstanding Bonds, the trustee or escrow agent shall, if so directed by the Director, pay the amount of such excess to the Department.

All applications of proceeds of Refunding Bonds or other moneys as provided in this section, including without limitation the investment thereof and the sale of any related Government Securities, shall be at the direction of the Director.

Notwithstanding any law to the contrary, moneys of the Department

may be used from time to time as provided by any authorizing order of the Director to replenish withdrawals from any reserve account created pursuant to this section.

In order to enhance the marketability of Docks Facilities Revenue Bonds and Refunding Bonds, since the pledge herein authorized of Docks Facilities Revenues is subordinate to the pledges heretofore made for certain of the Outstanding Bonds, the Department is authorized, in any order of the Director relating to any Refunding Bonds, to covenant with the holders of any Docks Facilities Revenue Bonds or any Refunding Bonds that the proceeds of any Refunding Bonds and any other moneys deposited in trust as provided in this section for the payment when due of any Outstanding Bonds refunded thereby, shall not be withdrawn or used for any purpose other than as provided in this section and in such order of the Director.

**Section 10. Use of Proceeds of Docks Facilities Revenue Bonds.** The Department shall pay out of the proceeds from the sale of any of the Docks Facilities Revenue Bonds all expenses that the Director may deem necessary or advantageous in connection with the sale and issuance of such Docks Facilities Revenue Bonds (including any discount reflected in the purchase price thereof paid to the Department), including fees and disbursements of attorneys, accountants, financial advisors, consulting engineers and other consultants, fees and disbursements of trustees and escrow agents, bond insurance premiums, printing costs and other customary bond issuance expenses. The proceeds of the Docks Facilities Revenue Bonds remaining after paying the expenses of their sale and issuance shall be deposited by the Department in a special fund called the Docks Facilities Construction and Acquisition Account and, if so required by order of the Director, with one or more trustees or escrow agents in an interest account to pay interest on Docks Facilities Revenue Bonds, and in a reserve account to further secure the payment of principal of, premium, if any, and interest on any Docks Facilities Revenue Bonds. Moneys in the said Docks Facilities Construction and Acquisition Account may be invested by the Department in Government Securities in accordance with the orders pursuant to which the Docks Facilities Revenue Bonds are issued. The Docks Facilities Construction and Acquisition Account shall be subject to be drawn on by the Director, upon the approval of the Governor, but only for the purpose of paying costs of acquiring, constructing, equipping and improving Docks Facilities (including the acquisition of property necessary for such acquisition, construction, and equipment and improvement) and to prepay the Department's lease obligations with respect to the Industrial Board Project and to purchase the Industrial Board Project. Notwithstanding any law to the contrary, moneys of the Department may be used from time to time as provided by any authorizing order of the Director to replenish withdrawals from any reserve account created pursuant to this section. Interest earnings derived from the investment of any proceeds of Docks Facilities Revenue Bonds shall be disposed of as may be provided by the order of the Director authorizing the issuance of Docks Facilities Revenue Bonds.

**Section 11. Defeasance of Docks Facilities Revenue Bonds and Refunding Bonds.** Any Docks Facilities Revenue Bond or Refunding Bond issued pursuant to the provisions of this Act shall no longer be deemed to be outstanding, shall no longer be secured by the Docks Facilities Revenues that may have been pledged therefor, shall no longer constitute a limited obligation of the Department, and shall be secured solely by and payable solely from moneys and Government Securities deposited in trust with one or more trustees or escrow agents as provided herein, whenever there shall be deposited in trust with one or more trustees or escrow agents, as pro-

vided herein, either moneys or Government Securities the principal of and interest on which when due will provide moneys which, together with the moneys, if any, deposited with one or more trustees or escrow agents, at the same time, shall be sufficient to pay when due the principal of, premium, if any, and interest due and to become due on such bonds on or prior to the redemption date or maturity date thereof, as the case may be; provided, such Government Securities shall not be subject to redemption prior to their maturity other than at the option of the holder thereof. Except as provided in the immediately succeeding sentence hereof, neither the Government Securities nor moneys so deposited with one or more trustees or escrow agents, shall be withdrawn or used for any purpose other than, and shall be held in trust for, the payment of the principal of, premium, if any, and interest to become due on such bonds; provided that any cash received from such principal or interest payments on such Government Securities deposited with one or more trustees or escrow agents, (a) to the extent such cash will not be required at any time for such purpose, shall be paid over to the Department as received, free and clear of any trust, lien, pledge or assignment securing such bonds, and (b) to the extent such cash will be required for such purpose at a later date, shall, to the extent practicable and legally permissible, be reinvested in Government Securities maturing at times and in amounts sufficient to pay when due the principal of, premium, if any, and interest to become due on such bonds on and prior to such redemption date or maturity date thereof, as the case may be, and interest earned from such reinvestments to the extent not required for the payment of such bonds shall be paid over to the Department, as received, free and clear of any trust, lien or pledge securing such bonds. Notwithstanding anything to the contrary contained herein, (a) moneys deposited pursuant to the provisions of this section may be applied and Government Securities so deposited may be redeemed and sold and the proceeds thereof applied to (i) the purchase of the Docks Facilities Revenue Bonds or Refunding Bonds which were defeased by the deposit with the trustee or escrow agent of such moneys and Government Securities and immediately thereafter all Docks Facilities Revenue Bonds or Refunding Bonds so purchased shall be cancelled, or (ii) the purchase of different Government Securities; provided, however, that the moneys and Government Securities on deposit with one or more trustees or escrow agents after such purchase and cancellation of such Docks Facilities Revenue Bonds or Refunding Bonds or such purchase of different Government Securities shall be sufficient to pay when due the principal of, premium, if any, and interest on all other Docks Facilities Revenue Bonds or Refunding Bonds in respect of which such moneys and Government Securities were deposited with the trustee or escrow agent on or prior to the redemption date or maturity date thereof, as the case may be; and (b) in the event that on any date, as a result of any purchases and cancellations of Docks Facilities Bonds or Refunding Bonds or any purchases of different Government Securities as provided in this sentence, the total amount of moneys and Government Securities remaining on deposit with the trustee or escrow agent is in excess of the total amount which would have been required to be deposited with the trustee or escrow agent on such date in respect of the remaining Docks Facilities Revenue Bonds or Refunding Bonds for which such deposit was made in order to pay when due the principal of, premium, if any, and interest on such remaining Docks Facilities Revenue Bonds or Refunding Bonds, or the trustee or escrow agent shall pay over the amount of such excess to the Department free and clear of any trust, lien, pledge or assignment securing such Docks Facilities Revenue Bonds or Refunding Bonds.

All applications of proceeds and moneys as provided in this section,

including without limitation the investment thereof and the sale of any related securities, shall be at the direction of the Director.

**Section 12. Continuation of Special Charges for the Benefit of the Docks Facilities Revenue Bonds and Refunding Bonds.** The Department is hereby authorized to continue to impose and collect all charges and other fees presently imposed and collected, pursuant to statutory authorization, by the Department for the use of Docks Facilities or the handling or processing of cargo and commodities, irrespective of any statutory provisions providing for the termination of such charges and fees upon the happening of certain events, including specifically the special handling charge on coal handled by the Department authorized to be imposed by Act No. 64 enacted at the 1971 Special Session of the Legislature, as amended, and the special processing charge on coal processed by the Department authorized to be imposed by Act No. 703 enacted at the 1976 Regular Session of the Legislature, as amended, and all statutory provisions respecting or requiring the termination of such charges and fees in certain events are hereby repealed. The proceeds of such charges and fees shall be considered for all purposes hereof as part of Docks Facilities Revenues, provided that all pledges thereof shall be subordinate in all respects to any appropriations or pledges heretofore made for the payment of any of the Outstanding Bonds, provided that the priorities of any such Docks Facilities Revenue Bonds and Refunding Bonds over each other as to any pledge provided herein shall be as provided in the order or orders of the Director authorizing any such Docks Facilities Revenue Bonds and Refunding Bonds.

**Section 13. Pledge.** All moneys hereby pledged shall constitute a sinking fund for the purpose of paying the principal of, premium, if any, and the interest on the Docks Facilities Revenue Bonds and Refunding Bonds. As security for the payment of the principal of, premium, if any, and interest on the Docks Facilities Revenue Bonds and the Refunding Bonds issued under this Act, the Department is authorized to pledge the proceeds of the pledge herein provided for, including moneys on deposit in any interest account or reserve account herein authorized to be created and the interest income from the investment of moneys on deposit in such interest account or reserve account, and the Docks Facilities Construction and Acquisition Account.

Any pledge made pursuant to this Act shall be valid and binding from the time the pledge is made. The income or revenue so pledged shall immediately be subject to the lien of the pledge without any physical delivery thereof or further act, and the lien of any pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the State or the Department, irrespective of whether such parties have notice thereof. Neither the order nor any other instrument by which a pledge is created need be filed or recorded, except in the records of the Department.

**Section 14. Preservation of Outstanding Appropriations, Pledges and Covenants by State and Department.** It is the intention of the Legislature in enacting this Act to preserve inviolate all appropriations and pledges heretofore made of any portion of any revenues of the Department for the benefit of any of the Outstanding Bonds.

The State does hereby covenant and agree with the holder of each Docks Facilities Revenue Bond or Refunding Bond issued pursuant to the authority of this Act that while any such bonds are outstanding and unpaid (a) neither the State nor the Department will appropriate or pledge any

portion of the Docks Facilities Revenues for the benefit of any obligations that may at any time be issued pursuant to any statute, ranking on a parity with or superior to the pledge made for the benefit of Docks Facilities Revenue Bonds and Refunding Bonds herein authorized, provided that such covenant and agreement shall not be construed so as to limit the issuance of any obligations subordinate to such pledge, and (b) the State will not change or otherwise alter the duties, responsibilities, obligations or authority of the State Treasurer or the Department as provided herein in a manner adverse to the interests of any holder of any Docks Facilities Revenue Bond or Refunding Bond issued under this Act.

Section 15. Covenant by Department to Maintain Charges and Other Fees. For the benefit of the holders from time to time of the Docks Facilities Revenue Bonds and the Refunding Bonds herein authorized, and in order to secure maximum prices for said bonds, and in consideration of the purchase and acceptance of said bonds by such holders, the Department may, in any order of the Director authorizing the issuance of Docks Facilities Revenue Bonds or Refunding Bonds, irrevocably covenant and agree that while any of such Docks Facilities Revenue Bonds or Refunding Bonds are outstanding and unpaid, all charges, including special handling and processing charges, tariffs, surcharges, and other fees of the Department shall be maintained at such levels as the Department shall specify.

Section 16. State Treasurer to Disburse Funds. There is hereby created a special fund to be designated the State Docks Facilities Debt Service Fund, which shall be held in and constitute a part of the state treasury and which shall be maintained until the principal of and interest on any Docks Facilities Revenue Bonds or any Refunding Bonds shall have been paid in full.

Not less than one day nor more than three days prior to the due date of any installment of principal of or interest on any of the Docks Facilities Revenue Bonds or any of the Refunding Bonds, the Department shall pay, out of Docks Facilities Revenues held by the Department, into the said special fund an amount equal to debt service on the Docks Facilities Revenue Bonds and Refunding Bonds coming due on such due date.

The moneys on deposit in the said special fund shall be applied for payment of the principal of and interest on the Docks Facilities Revenue Bonds and the Refunding Bonds; and moneys in the said special fund shall be exhausted for payment of the said principal and interest prior to the use for such purpose of any Docks Facilities Revenues held by the Department.

The State Treasurer is authorized and directed to pay, out of moneys contained in the State Docks Facilities Debt Service Fund, the principal of and interest (and premium, if any) on the Docks Facilities Revenue Bonds and the Refunding Bonds at the respective due dates of said principal, interest and premium, and the State Treasurer is further authorized and directed to set up and maintain appropriate records pertaining thereto.

Section 17. Reserve Funds for Outstanding Bonds. In the event there shall have been established any reserve or other similar funds for the benefit of any of the Outstanding Bonds and if the Outstanding Bonds for which those funds were established are refunded in full by the issuance of Refunding Bonds hereunder and if under the terms of the instruments establishing such funds, such funds need not be continued for payment of debt service on any Outstanding Bonds, then any moneys contained in such funds, and any interest accrued with respect thereto after the issuance of said Refunding Bonds, shall be paid over to the Department for its use in

providing additions to the Docks Facilities and for no other purpose, any statutory provision enacted prior to the effective date of this Act to the contrary notwithstanding.

Section 18. Severability Clause; Repeal of Inconsistent Acts. In the event any section, sentence, clause or provision of this Act shall be declared invalid by any court of competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses, or provisions of this Act, which shall continue effective.

It is the intent of the Legislature that in the event of any conflict or inconsistency in the provisions of this Act and any other acts pertaining to matters herein established or provided for, to the extent of such conflict or inconsistency, the provisions of this Act shall be enforced and the provisions of such other acts shall be of no effect.

Section 19. Effective Date. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming law.

#### SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 85; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Escott, Faulk, Flowers, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Jenkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, Marietta, Mathis, Melton, Mitchell, Moore, Nicholson, Onderdonk, Parker, Payne, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

—85

And the bill:

H. 901. To make provision for the financing and acquisition, construction, equipment and improvement from time to time of docks facilities in the state and to finance such acquisition, construction, equipment and improvement by the issuance of revenue bonds of the Alabama State Docks Department when the Department, with the approval of the governor, shall determine that the issuance of such bonds is necessary for payment of the costs of acquiring, constructing, equipping and improving docks facilities operated or to be operated by the said Department; to authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time its revenue bonds in such aggregate principal amount as said Department, with the approval of the Governor, may deem advisable for such purposes; to provide that certain bonds issued by the Industrial Development Board of the City of Mobile, Alabama, certain bonds issued by the State, and bonds at any time issued by Alabama State Docks Department or any of them, and at the time outstanding, and the interest thereon may be refunded through the issuance by the Department of refunding bonds; to provide that proceeds of the bonds issued under this Act may be used to purchase property owned by the Industrial Develop-

ment Board of the City of Mobile, Alabama, and leased to Alabama State Docks Department and to prepay said Department's lease obligations to said Board; to provide that the Department shall determine the manner, terms and conditions of the sale or sales of the bonds authorized to be issued under this Act, and to make provisions respecting such sale or sales and the application of the proceeds from the sale or sales thereof; to provide for the method of execution of said bonds and other details pertaining thereto; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely out of the revenues of the Department pledged in this Act; to provide that the bonds authorized to be issued under this Act and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the State and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to provide for the defeasance of said bonds; to authorize the Department to continue to collect all charges and other fees presently imposed and collected by the Department; to pledge funds necessary to pay the principal of, premium, if any, and interest on said bonds; to authorize the Department to pledge for payment of the said principal of, premium, if any, and interest on said bonds the moneys pledges in this Act for that purpose; to preserve outstanding appropriations, pledges and covenants made by the State or the Department; to authorize the Department to covenant to maintain its charges and other fees; to authorize the establishment of a special debt service account to be held by the State Treasurer and used to pay debt service on bonds to be issued under this Act out of moneys paid into such account by the Department; to permit reserve funds for the benefit of outstanding bonds to be used by the Department to provide additions to docks facilities; to provide that if any portion of this Act is held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

As thus amended, was read a third time at length and passed, and ordered engrossed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Black, Blake, Blakeney, Boles, Box, Brakefield, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Escott, Faulk, Flowers, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, Marietta, Mathis, Melton, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

—84

And the bill:

H. 902. (With Amendment): To propose an amendment to the Constitution of Alabama of 1901 providing that certain securities issued by or on behalf of the Alabama State Docks Department shall not constitute debts of the State within the meaning of any state constitutional provision.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend House Bill 902 on page 2, line 18, after the word "Tuesday" by deleting the word and figure, "September 25" and inserting in lieu thereof the following:

September 4

And the amendment was adopted.

Yeas 74; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Bachus, Black, Blake, Blakeney, Bowling, Box, Brakefield, Brooks, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Escott, Faulk, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, Marietta, Mathis, Melton, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Reed, Rice, Richardson, Smith, Spratt, Starkey, Starr, Thomas, Turner, Turnham, Venable, Warren, White (L) and Zoghby.

—74

And the bill, H. 902, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Escott, Faulk, Flowers, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, Marietta, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (G), White (L) and Zoghby.

—84

**MOTION TO SUSPEND RULES ADOPTED**

On motion of Rep. Venable, the rules were suspended in order to take up out of order the bill, H. 340.

And the bill:

H. 340. To amend the Constitution of 1901 by replacing the article on Suffrage and Elections, Article VIII.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.



*Yeas:*

Reps.: Adams, Albright, Bachus, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, McKee, McMillan, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Preuit, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Turnham, Venable, White (F), White (G), White (L) and Zoghby.

—86

CO-SPONSOR ADDED

Rep. Reed was added as co-sponsor to the bill, H. 340.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Laird, the rules were suspended in order to take up out of order the bill, H. 21.

And the bill:

H. 21. (With Amendment): To create, within the office of the Governor, an Alabama Small Business Office of Advocacy to serve as the principal advocate in the state on behalf of small businesses, including advisory participation in the consideration of legislation and administrative regulations affecting small businesses; to specify the functions and duties of the office; and to require the office to submit an annual report to the Governor and the legislature describing the activities and recommendations of the office.

Was taken up.

S. 21 SUBSTITUTED FOR H. 21

On motion of Rep. Laird, the bill, S. 21 was substituted for the bill, H. 21.

And the bill:

S. 21. To create, within the Alabama Development Office, an Alabama Small Business Office of Advocacy to serve as the principal advocate in the state on behalf of small businesses, including advisory participation in the consideration of legislation and administrative regulations affecting small businesses; to specify the functions and duties of the office; and to require the office to submit an annual report to the Governor and the legislature describing the activities and recommendations of the office.

Was read a third time at length and passed.

Yeas 73; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Biddle, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Bugg, Burke, Butler, Campbell, Carothers, Carter, Clark (D), Coleman, Cosby, Crow, Davis, Dutton, Escott, Fuller, Gaston, Goodwin, Grayson, Grouby, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy,

Kvalheim, Laird, Lindsey, McMillan, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Payne, Perdue, Poole, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turnham, White (F), White (L) and Zoghby.

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#### H. 21 INDEFINITELY POSTPONED

On motion of Rep. Laird, the bill, H. 21, was indefinitely postponed.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Hall, the rules were suspended in order to take up out of order the bill, S. 78.

And the bill:

S. 78. Providing for the termination of parental rights and responsibilities of parents who are unable or unwilling to discharge their responsibilities to and for the child; providing certain definitions; enumerating the circumstances to be considered by the court in cases where such rights and responsibilities are sought to be terminated; providing for the procedure to be followed in termination cases; providing for the disposition of such cases; and providing for periodic review of the circumstances of certain children.

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Blake, Blakeney, Boles, Bowling, Brakefield, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Coleman, Cosby, Crow, Davis, Faulk, Flowers, Fuller, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Preuit, Reed, Rice, Richardson, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turnham, Venable, White (F) and White (L).

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#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Kvalheim, the rules were suspended in order to take up out of order the bill, H. 332.

And the bill:

H. 332. (With Substitute): To authorize any county commission to create a communications district in such county for the purpose of establishing a local emergency telephone service, to provide for the governing body of the district, including its powers, and to provide for funding for such district, including provisions for levying a telephone service charge.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Government, said committee substitute being as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize any municipal or county governing body to create a communications district in the respective jurisdiction of such municipality or county for the purpose of establishing a local emergency telephone service, to provide for the governing body of the district, including its powers, and to provide for funding for such district, including provisions for levying an emergency telephone service charge.

Be It Enacted by the Legislature of Alabama:

Section 1. The municipal or county governing body of any municipality or county may by ordinance create within its respective jurisdiction communications districts composed of the territory lying wholly within the municipality or of any part or all of the territory lying wholly within the county. Such districts shall be political and legal subdivisions of the state, with power to sue and be sued in their corporate names and to incur debt and issue bonds. The bonds shall be negotiable instruments and shall be solely the obligations of the district and not the state of Alabama. The bonds and the income thereof shall be exempt from all taxation in the state of Alabama. The bonds shall be payable out of the income, revenues, and receipts of the district. The bonds shall be authorized and issued by resolution of the governing authority of the district and shall be of such series; bear such date or dates; mature at such time or times, not to exceed thirty years from issuance; bear interest at such rate or rates; be in such denominations; be in such form, without coupon or fully registered without coupon; carry such registration and exchangeability privileges; be payable in such medium of payment and at such place or places; be subject to such terms of redemption; and be entitled to such priorities on the income, revenues, and receipts of the district as such resolution may provide.

All bonds shall contain a recital that they are issued pursuant to the provisions of this Act, which recital shall be conclusive that they have been duly authorized pursuant to the provisions of this Act.

Section 2. It has been shown to be in the public interest to shorten the time required for a citizen to request and receive emergency aid. The provision of a single, primary three-digit emergency number through which emergency services can be quickly and efficiently obtained will provide a significant contribution to law enforcement and other public service efforts by simplifying the notification of public service personnel. Such a simplified means of procuring emergency services will result in the saving of life, a reduction in the destruction of property, quicker apprehension of criminals, and ultimately the saving of monies. Establishment of a uniform emergency number is a matter of concern and interest to all citizens. It is the purpose of this Act to establish the number 911 as the primary emergency telephone number for use in communications districts created in municipalities or counties as herein provided.

Section 3. A. As used in this Act, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise:

(1) "Exchange access facilities" means all lines, provided by the service supplier for the provision of local exchange service, as defined in existing general subscriber services tariffs.

(2) "Tariff rate" means the rate or rates billed by a service supplier as

stated in the service supplier's tariffs and approved by the Public Service Commission which represent the service supplier's recurring charges for exchange access facilities, exclusive of all taxes, fees, licenses, or similar charges whatsoever.

(3) "District" means the communication district created pursuant to this Act.

(4) "Service supplier" means any person providing exchange telephone service to any service user throughout the county or municipality.

(5) "Service user" means any person, not otherwise exempt from taxation, who is provided exchange telephone service in the municipality or county.

(6) "E911" means Enhanced Universal Emergency Number Service or Enhanced 911 Service which is a telephone exchange communications service whereby a Public Safety Answering Point (PSAP) designated by the customer may receive telephone calls dialed to the telephone number 911. E911 Service includes lines and equipment necessary for the answering, transferring and dispatching of public emergency telephone calls originated by persons within the serving area who dial 911 but does not include dial tone first which may be made available by the service provider based on the ability to recover the costs associated with its implementation and consistent with tariffs filed with and approved by the Alabama Public Service Commission.

B. (1) The board of commissioners of the district may, when so authorized by a vote of a majority of the persons voting within the district in accordance with law, levy an emergency telephone service charge in an amount not to exceed five percent of the tariff rate. The governing body of the municipality or county may, upon its own initiative, call such a special election. Any such service charge shall have uniform application and shall be imposed throughout the entirety of the district to the greatest extent possible in conformity with availability of such service in any area of the district.

(2) If the proceeds generated by an emergency telephone service charge exceed the amount of monies necessary to fund the district, the board of commissioners shall, by ordinance, reduce the service charge rate to an amount adequate to fund the district. In lieu of reducing the service charge rate, the board of commissioners may suspend such service charge, if the revenues generated therefrom exceed the district's needs. The board of commissioners may, by ordinance, reestablish the original emergency telephone service charge rate, or lift the suspension thereof, if the amount of monies generated is not adequate to fund the district.

(3) An emergency telephone service charge shall be imposed only upon the amount received from the tariff rate exchange access lines. If there is no separate exchange access charge stated in the service supplier's tariffs, the board of commissioners shall determine a uniform percentage not in excess of eighty-five per centum of the tariff rate for basic exchange telephone service that shall be deemed to be the equivalent of tariff rate exchange access lines, until such time as the service supplier establishes such a tariff rate. No such service charge shall be imposed upon more than one hundred exchange access facilities per person per location. Every billed service user shall be liable for any service charge imposed under this Subsection until it has been paid to the service supplier. The duty of the service supplier to collect any such service charge shall commence upon the date of its imple-

mentation, which shall be specified in the resolution calling the election. Any such emergency telephone service charge shall be added to and may be stated separately in the billing by the service supplier to the service user.

(4) The service supplier shall have no obligation to take any legal action to enforce the collection of any emergency telephone service charge. However, the service supplier shall annually provide the board of commissioners with a list of the amount uncollected, together with the names and addresses of those service users who carry a balance that can be determined by the service supplier to be nonpayment of such service charge. The service charge shall be collected at the same time as the tariff rate in accordance with the regular billing practice of the service supplier. Good faith compliance by the service supplier with this provision shall constitute a complete defense to any legal action or claim which may result from the service supplier's determination of nonpayment and/or the identification of service users in connection therewith.

(5) The amounts collected by the service supplier attributable to any emergency telephone service charge shall be due quarterly. The amount of service charge collected in one calendar quarter by the service supplier shall be remitted to the district no later than sixty days after the close of a calendar quarter. On or before the sixtieth day after the close of a calendar quarter, a return, in such form as the board of commissioners and the service supplier agree upon, shall be filed with the district, together with a remittance of the amount of service charge collected payable to the district. The service supplier shall maintain records of the amount of the service charge collected for a period of at least two years from date of collection. The board of commissioners may, at its expense, require an annual audit of the service supplier's books and records with respect to the collection and remittance of the service charge. From the gross receipts to be remitted to the district, the service supplier shall be entitled to retain as an administrative fee, an amount equal to one percent thereof.

C. In order to provide additional funding for the district, the county or municipal governing body may receive federal, state, county or municipal funds, as well as funds from private sources, and may expend such funds for the purposes of this Act.

Section 4. A. When any district is created, the governing authority of any municipality or county creating such district may appoint a board of commissioners composed of seven members to govern its affairs, and shall fix the domicile of the board at any point within the district. The members of the board shall be qualified electors of the district, two of whom shall be appointed for terms of two years, three for terms of three years, and two for terms of four years, dating from the date of the adoption of the ordinance creating the district. Thereafter, all appointments of the members shall be for terms of four years.

B. The board of commissioners shall have complete and sole authority to appoint a chairman and any other officers it may deem necessary from among the membership of the board of commissioners.

C. A majority of the board of commissioners membership shall constitute a quorum and all official action of the board of commissioners shall require a quorum.

D. The board of commissioners shall have authority to employ such employees, experts, and consultants as it may deem necessary to assist the

board of commissioners in the discharge of its responsibilities to the extent that funds are made available.

E. In lieu of appointing a board of commissioners, as provided in this Act, the governing body of any municipality or county may serve as the board of commissioners of the district, in which case it shall assume all the powers and duties of the board of commissioners as provided in this Act.

Section 5. The digits 911 shall be the primary emergency telephone number, but the involved agencies may maintain a separate secondary back-up number and shall maintain a separate number for nonemergency telephone calls.

Section 6. The emergency telephone system shall be designed to have the capability of utilizing at least one of the following four methods in response to emergency calls:

(1) "Direct dispatch method", which is a telephone service to a centralized dispatch center providing for the dispatch of an appropriate emergency service unit upon receipt of a telephone request for such services and a decision as to the proper action to be taken.

(2) "Relay method", which is a telephone service whereby pertinent information is noted by the recipient of a telephone request for emergency services, and is relayed to appropriate public safety agencies or other providers of emergency services for dispatch of an emergency service unit.

(3) "Transfer method", which is a telephone service which receives telephone requests for emergency services and directly transfers such requests to an appropriate public safety agency or other provider of emergency services.

(4) "Referral method", which is a telephone service which, upon the receipt of a telephone request for emergency services, provides the requesting party with the telephone number of the appropriate public safety agency or other provider of emergency services.

The board of commissioners of the district shall select the method which it determines to be the most feasible for the county or municipality.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Black, Blake, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Escott, Fuller, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lindsey, McDowell, McMillan, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk,

Parker, Payne, Perdue, Poole, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—76

And the bill:

H. 332. To authorize any municipal or county governing body to create a communications district in the respective jurisdiction of such municipality or county for the purpose of establishing a local emergency telephone service, to provide for the governing body of the district, including its powers, and to provide for funding for such district, including provisions for levying an emergency telephone service charge.

As thus amended, was read a third time at length, passed and ordered engrossed.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Adams, Black, Blake, Boles, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Fuller, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Hettinger, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McMillan, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Payne, Perdue, Poole, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—74

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Grouby, the rules were suspended in order to take up out of order the bill, H. 294.

And the bill:

H. 294. (With Amendments): To amend Section 36-21-2, Code of Alabama 1975, to increase the subsistence allowance paid to any state law enforcement officer of the state of Alabama who is employed by the department of public safety, department of conservation and natural resources, Alabama alcoholic beverage control board, department of agriculture and industries or the transportation enforcement division of the Alabama public service commission from \$5.00 per day to \$12.50 per day.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend House Bill 294 on page 1 lines 9, 20, and 30 by striking the figure "\$12.50" and inserting in lieu thereof the figure "\$8.00".

And the amendment was adopted.

Yeas 73; Nays 1.

Yeas:

Mr. Speaker, Adams, Albright, Black, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Faulk, Flowers, Fuller, Gaston, Goodwin, Hammett, Harper, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McDowell, McKee, McMillan, Marietta, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Parker, Perdue, Poole, Pratt, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Venable, Warren, White (L) and Zoghby.

—73

Nay: Rep. Payne.

—1

#### CO-SPONSOR ADDED

Rep. Grouby was added as co-sponsor to the bill, H. 294.

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend House Bill 294, page 1, lines 19 and 28 after the word "Industries" by inserting the following comma and language:

, Alabama Department of Forensic Sciences

And the amendment was adopted.

Yeas 83; Nays 1.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Black, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Fuller, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McDowell, McKee, McMillan, Marietta, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Venable, Warren, White (F), White (L) and Zoghby.

—83

Nay: Rep. Payne.

—1

And the bill:

H. 294. To amend Section 36-21-2, Code of Alabama 1975, to increase the subsistence allowance paid to any State law enforcement officer of the state of Alabama who is employed by the department of public safety, department of conservation and natural resources, Alabama alcoholic beverage control board, department of agriculture and industries, Alabama Department of Forensic Sciences or the transportation enforcement division of the Alabama public service commission from \$5.00 per day to \$8.00 per day.



As thus amended, was read a third time at length, passed and ordered engrossed.

Yeas 85; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Gaston, Goodwin, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lindsey, McDowell, McMillan, Marietta, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Venable, Warren, White (F), White (L) and Zoghby.

—85

#### CO-SPONSORS ADDED

The following were added as co-sponsors to the bill, H. 294:

Mr. Speaker, Adams, Albright, Bachus, Beers, Blake, Blakeney, Boles, Bowling, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Holley, Holmes, Hooper, Horn, Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McMillan, McNair, Marietta, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Tanner, Thomas, Trammell, Venable, Warren, White (F), White (G), White (L) and Zoghby.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Starkey, the rules were suspended in order to take up out of order the bill, H. 592.

And the bill:

H. 592. (With Amendment): To amend Section 41-16-51, Code of Alabama 1975, as amended by Act No. 83-515 enacted during the 1983 Regular Session of the Legislature of Alabama, so as to remove the exemption of existing contracts up for renewal for sanitation or solid waste collection and disposal between counties and those providing the service and to restore the previously-existing exemption for equipment used and consumed in the removal and routine operation of any waterworks system, sanitary sewer system, gas or electric system owned by municipalities, counties or public corporations, boards or authorities that are agencies, departments or instrumentalities of municipalities or counties among those contracts for which competitive bidding is not required.

Was taken up.

#### S. 447 SUBSTITUTED FOR H. 592

On motion of Rep. Starkey, the bill, S. 447, was substituted for the bill, H. 592.

And the bill:

S. 447. (With Amendment): To amend Section 41-16-51, Code of Alabama 1975, as amended by Act No 83-515 enacted during the 1983 Regular Session of the Legislature of Alabama, so as to remove the exemption of existing contracts up for renewal for sanitation or solid waste collection and disposal between counties and those providing the service and to restore the previously existing exemption for equipment used and consumed in the removal and routine operation of any waterworks system, sanitary sewer system, gas or electric system owned by municipalities, counties or public corporations, boards or authorities that are agencies, departments or instrumentalities of municipalities or counties among those contracts for which competitive bidding is not required.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Health, said committee amendment being as follows:

Amend S. B. 447 in the title on page 1 by striking lines 27 through 30 in their entirety and inserting in lieu thereof the following:

sion of the Legislature of Alabama, so as to restore the previously existing

Further amend the bill, page 3, by striking line 15 in its entirety and inserting in lieu thereof the following:

ities and/or counties, and those providing the service, nor

And the amendment was adopted.

Yeas 74; Nays 2.

Yeas:

Mr. Speaker, Adams, Beers, Black, Blake, Bowling, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Hall, Hammett, Harper, Hooper, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McDowell, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mitchell, Newman, Nicholson, Parker, Payne, Penry, Perdue, Poole, Pratt, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Trammell, Venable, Warren, White (G), White (L) and Zoghby.

—74

Nays: Reps. Bachus and Holley.

—2

And the bill, S. 447 as thus amended, was read a third time at length and passed.

Yeas 72; Nays 9.

Yeas:

Mr. Speaker, Adams, Black, Blake, Blakeney, Bowling, Box, Britnell, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Dutton, Escott, Faulk, Ford, Fuller, Gaston, Goodwin, Hall, Hammett, Harper, Harvey, Holmes, Hooper, Johnson (R.G.), Johnson

(Roy), Kennedy, Kvalheim, Laird, McDowell, McMillan, Marietta, Martin, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Penry, Perdue, Poole, Pratt, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—72

*Nays:*

Reps. Bachus, Brooks, Campbell, Hettinger, Holley, McKee, Parker, Payne and White (G).

—9

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 567. To exempt vitamins, minerals and dietary supplements, which are used, sold, furnished, dispensed or prescribed by any physician, as defined in this Act, in the performance of his professional services from any city, county and state sales tax, and to make such exemptions retroactive.

JIMMY CLARK,  
Chairman.

And the bill, H. 567 as engrossed, was ordered sent to the Senate.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Grayson, the rules were suspended in order to take up out of order the bill, H. 575.

And the bill:

H. 575. (With Substitute): To provide a "State Black Archives, Research Center and Museum" at Alabama Agricultural and Mechanical University; creating a repository of source materials on Afro-American history and culture and providing authority to receive available funds and make an appropriation.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To provide a "State Black Archives, Research Center and Museum" at Alabama Agricultural and Mechanical University; creating a repository of source materials on Afro-American history and culture and providing authority to receive available funds.

Be It Enacted by the Legislature of Alabama:

Section 1. As used in this section:

(1) This act shall be cited as the "State Black Archives, Research Center and Museum."

(2) For the purposes of this act:

(a) "Repository" means a place or depository on the Alabama Agricultural and Mechanical University campus.

(b) "Source materials" means any written or printed matter, memorabilia and artifacts.

(c) "Afro-American" means any American person of African descent and who is identified with the black race.

(3) The general purposes of this act are to provide for the obtaining, preserving and holding for circulation in a repository at the Alabama Agricultural and Mechanical University source materials on Afro-American history and culture which shall be used for research and other educational and cultural purposes, and which shall thereby encourage the development of inspiration and positive self-concepts on the part of black Americans and provide a basis for whites to gain greater respect for the black race.

Section 2. The president of the university shall appoint a curator of the repository who shall be a recognized authority on Afro-American history and culture. The curator shall be empowered to seek out and secure source materials on or about Afro-Americans, to catalog and preserve such materials in keeping with the best available methods of preservation, and shall disseminate or make available to the public said materials in keeping with the designated functions of the repository.

Section 3. The repository shall serve the state by collecting and preserving source materials on the contributions, achievements and general experiences of Afro-Americans, and shall endeavor to reproduce and secure copies of all materials on or about black Americans from the earliest beginnings to the present. It shall provide bibliographic and copy services, whenever practical, to state agencies, the university system, state officials, researchers and scholars of Afro-American history and culture, and encourage the use of Afro-American instructional materials in state educational services to all groups without regard to racial, religious, or ethnic membership.

Section 4. For the purposes of this act the Alabama Agricultural and Mechanical University has the authority to accept and receive funds, grants and service from the federal government or its agencies; from departments, agencies and instrumentalities of state, municipal or local government; or from private or civic sources.

Section 5. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are hereby repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 73; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Black, Blake, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Ford, Fuller, Gaston, Goodwin, Hall, Hammett, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Reed, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Venable, Warren, White (F), White (L) and Zoghby.

—73

And the bill:

H. 575. To provide a "State Black Archives, Research Center and Museum" at Alabama Agricultural and Mechanical University; creating a repository of source materials on Afro-American history and culture and providing authority to receive available funds.

As thus amended, was read a third time at length, passed and ordered engrossed.

*Yeas 74; Nays 0.*

*Yeas:*

Mr. Speaker, Adams, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Fuller, Gaston, Goodwin, Hall, Hammett, Hettinger, Hooper, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McDowell, McKee, McMillan, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Reed, Rice, Richardson, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—74

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Lindsey, the rules were suspended in order to take up out of order the bills, H. 875 and H. 833.

And the bill:

H. 875. To propose an amendment to the Constitution of Alabama 1901, relating to the eradication or control of the boll weevil in cotton; allowing the Legislature, by general law, to provide for assessment of levies, financing, collection, distribution and expenditure of funds by a designated non-profit organization for the sole purpose of eradicating or controlling the boll weevil.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

*Yeas 87; Nays 0.*

*Yeas:*

Mr. Speaker, Adams, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles,

Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Fuller, Gaston, Goodwin, Grayson, Hammett, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Reed, Rice, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—87

## CO-SPONSORS ADDED

The following were added as co-sponsors to the bill, H. 875:

Mr. Speaker, Adams, Blakeney, Bowling, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Carothers, Carter, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Fuller, Gaston, Grayson, Hall, Harper, Hettinger, Holley, Hooper, Horn, Kvalheim, Lauderdale, Marietta, Mathis, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Pratt, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starr, Warren, White (F) and White (L).

And the bill:

H. 833. To provide methods and procedures to be used for boll weevil eradication in cotton; to provide definitions; to allow entering into cooperative agreements; to allow inspections of premises; to require reports; to allow the establishments of quarantines and elimination zones and to provide for treatment of cotton in elimination zones to include destruction; to allow adoption of rules and regulations and penalties for their violation; to provide for certification of a cotton growers organization and for a referendum to be conducted by said organization; to provide for assessments to be paid by growers and penalties for failure to pay assessments; to provide for the promulgation of regulations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Adams, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Escott, Faulk, Flowers, Fuller, Gaston, Goodwin, Grayson, Hammett, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Reed, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—87

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Gray, the rules were suspended in order to take up out of order the bill, H. 32.

Yeas 65; Nays 8.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Black, Blakeney, Boles, Bowling, Box, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Faulk, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Harper, Holmes, Horn, Kennedy, Kvalheim, Lauderdale, Marietta, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Perdue, Pratt, Rains, Reed, Richardson, Rogers, Spratt, Starkey, Tanner, Trammell, Turner, White (G), White (L) and Zoghby.

—65

*Nays:*

Reps.: Bugg, Holley, Johnson (R.G.), Junkins, Mathis, Rice, Sasser and White (F).

—8

And the bill:

H. 32. (With Amendment): To provide for certain payroll deductions for full-time firefighters employed by political subdivisions in this state.

Was taken up.

S. 425 SUBSTITUTED FOR H. 32

On motion of Rep. Turner, the bill, S. 425, was substituted for the bill, H. 32.

And the bill:

S. 425. To provide for certain payroll deductions for full-time firefighters employed by political subdivisions in this state.

Was read a third time at length and passed.

Yeas 60; Nays 5.

*Yeas:*

Mr. Speaker, Albright, Bachus, Beers, Black, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Burke, Buskey (James), Buskey (John), Campbell, Carothers, Carter, Clark (D), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Faulk, Fuller, Gaston, Goodwin, Gray, Grayson, Hall, Harper, Kennedy, Kvalheim, Lauderdale, McDowell, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Payne, Perdue, Pratt, Rains, Reed, Rice, Richardson, Spratt, Tanner, Trammell, Turner, White (L) and Zoghby.

—60

*Nays:*

Reps.: Holley, Johnson (R.G.), Junkins, Sasser and White (F).

—5

### H. 32 INDEFINITELY POSTPONED

On motion of Rep. Turner, the bill, H. 32, was indefinitely postponed.

### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Browder, the rules were suspended in order to take up out of order the bill, H. 441.

And the bill:

H. 441. To amend Section 36-30-2, Code of Alabama 1975, which provides for the compensation paid to dependents of peace officers or firemen killed in the performance of duty, so as to increase said compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Black, Blake, Boles, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Campbell, Carothers, Carter, Clark (J), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Fuller, Gaston, Grayson, Hall, Hammett, Hettinger, Holmes, Hooper, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McDowell, McKee, McMillan, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Perdue, Poole, Pratt, Reed, Rice, Richardson, Rogers, Sasser, Smith, Starkey, Starr, Turnham, Venable, White (F) and White (L).

—67

### CO-SPONSORS ADDED

Reps. Gaston, Kvalheim, Coleman, Bachus, Holmes and Dutton were added as co-sponsors to the bill, H. 441.

### PERMISSION GRANTED

Permission was granted for the Journal to show that Rep. Zoghby would have voted "Yea" on the bill, H. 441, had she been present at the time of voting.

### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the bill, H. 118.

And the bill:

H. 118. To provide for graduated penalties for commercial shrimp trawling in closed waters of \$1,000.00 to \$1,250.00 for the first conviction, \$1,250.00 to \$1,500.00 for the second conviction and \$1,500.00 to \$2,000.00 for the third conviction during any two consecutive years. In addition, trawl or trawls used during each violation shall be confiscated and upon conviction



tion become the property of the department of conservation and natural resources.

Was taken up.

**SUBSTITUTE OFFERED**

Rep. Penry offered the following substitute to the bill, H. 118:

**A BILL  
TO BE ENTITLED  
AN ACT**

To provide for graduated penalties for commercial shrimp trawling in closed waters of \$400.00 to \$600.00 for the first conviction, \$600.00 to \$900.00 for the second conviction and \$900.00 to \$1,500.00 for the third conviction during any two consecutive years. In addition, trawl or trawls used during each violation may be confiscated and upon conviction become the property of the department of conservation and natural resources.

Be It Enacted by the Legislature of the State of Alabama:

Section 1. It shall be unlawful for any person, firm or corporation to take shrimp by commercial shrimp trawling in waters closed to commercial shrimping by law or regulation. "Commercial shrimp trawling" means the taking or catching or attempting to take or catch shrimp by any trawl or trawls used together which exceed sixteen (16) feet as measured along the cork line; as well as, the taking, catching or attempting to take or catch shrimp by any trawl sixteen (16) feet or less as measured along the cork line while licensed as a commercial shrimp fisherman under Section 9-12-92 or Section 9-12-93, Code of Alabama, 1975.

Section 2. Persons, firms or corporations convicted of violating the provisions of this Act shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$400.00 nor more than \$600.00 for the first offense, not less than \$600.00 nor more than \$900.00 for the second offense and not less than \$900.00 nor more than \$1,500.00 for the third and subsequent offenses committed during any two consecutive years. All trawls in use at the time of the violation may be confiscated and held as evidence and upon conviction said trawls may be forfeited to the department of conservation and natural resources which shall dispose of same as it deems advisable.

Section 3. All laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 4. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part that remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**SUBSTITUTE ADOPTED**

And the substitute was adopted.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker, Adams, Black, Blake, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Campbell,

Carothers, Carter, Cosby, Crow, Davis, Escott, Fuller, Gaston, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Johnson (R.G.), Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Pratt, Rains, Reed, Richardson, Rogers, Smith, Starr, Tanner, Turner, Turnham, Venable, Warren, White (F), White (L) and Zoghby.

—62

And the bill:

H. 118. To provide for graduated penalties for commercial shrimp trawling in closed waters of \$400.00 to \$600.00 for the first conviction, \$600.00 to \$900.00 for the second conviction and \$900.00 to \$1,500.00 for the third conviction during any two consecutive years. In addition, trawl or trawls used during each violation may be confiscated and upon conviction become the property of the department of conservation and natural resources.

As thus amended, was read a third time at length, passed and ordered engrossed.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Black, Blakeney, Boles, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Cosby, Crow, Davis, Dutton, Escott, Flowers, Fuller, Gaston, Goodwin, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Johnson (R.G.), Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Perdue, Preuitt, Rains, Reed, Richardson, Rogers, Smith, Starkey, Starr, Tanner, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—74

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Goodwin, the rules were suspended in order to take up out of order the bill, H. 586.

And the bill:

H. 586. To amend Section 22-21-260 of the Code of Alabama 1975, so as to exempt a Veterans Nursing Home operated by the Department of Veterans Affairs from definition as a health care facility.

Was taken up.

#### S. 397 SUBSTITUTED FOR H. 586

On motion of Rep. Clark (D), the bill, S. 397, was substituted for the bill, H. 586.

And the bill:

S. 397. To amend Section 22-21-260 of the Code of Alabama 1975, so as to exempt a Veterans Nursing Home operated by the Department of Veterans Affairs from definition as a health care facility.

Was read a third time at length and passed.

Yeas 75; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Black, Blake, Blakeney, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Fuller, Gaston, Goodwin, Hammett, Harper, Harvey, Hettinger, Hooper, Horn, Johnson (R.G.), Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Perdue, Poole, Pratt, Reed, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—75

#### H. 586 INDEFINITELY POSTPONED

On motion of Rep. Clark (D), the bill, H. 586, was indefinitely postponed.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. McKee, the rules were suspended in order to take up out of order the bill, H. 82.

And the bill:

H. 82. To make a supplemental appropriation to the State Board of Physical Therapy from the Physical Therapist Fund for the fiscal year ending September 30, 1984.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Johnson (R.G.), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—88

#### CO-SPONSOR ADDED

Rep. Holmes was added as co-sponsor to the bill, H. 82.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Gaston, the rules were suspended in order to take up out of order the bill, H. 162.

And the bill:

H. 162. To amend Section 17-4-134, Code of Alabama 1975, relating to voter registration, so as to allow the board of registrars to accept, as an application for absentee registration by members of the armed services or their dependents, Department of Defense Post Card Application for Registration and Absentee Ballot.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Fuller, Gaston, Goodwin, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Johnson (R.G.), Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Perdue, Poole, Pratt, Reed, Rice, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Turnham, Venable, Warren, White (G), White (L) and Zoghby.

—79

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. McMillan, the rules were suspended in order to take up out of order the bill, H. 203.

And the bill:

H. 203. To amend Section 9-15-38, Code of Alabama 1975, relating to the sales of timber or minerals from school or swamp and overflowed lands, so as to remove the \$500.00 limit on the negotiated sale of damaged, diseased, or right-of-way timber; and to further provide for the negotiated sale of all other timber, the value of which does not exceed \$2,000.00.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 1.

Yeas: \*

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Coleman, Cosby, Crow, Dutton, Escott, Flowers, Fuller, Gaston, Grayson, Hall, Hammett, Hettinger, Holley, Holmes, Hooper, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, Marietta, Mathis, Melton, Mitchell, Newman, Nicholson, Parker, Payne, Penry, Perdue, Poole, Pratt, Reed, Rice, Smith, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Turnham, Venable, Warren, White (G), White (L) and Zoghby.

—73

Nay: Rep. Onderdonk.

—1

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Fuller, the rules were suspended in order to take up out of order the bill, H. 391.

And the bill:

H. 391. (With Amendments): To define and set the punishment for the crimes of: unlawful distribution of controlled substances in the first, second, and third degree; unlawful possession of marihuana in the first and second degree; unlawful possession of narcotic paraphernalia; to provide for forfeitures and seizures; to amend Code of Alabama 1975, §§ 20-2-2, 20-2-32, 20-2-72, 20-2-80, 20-2-81, and 20-2-93; to provide for the incorporation of Act No. 82-426, "The Imitation Controlled Substances Act," into this act; to provide for the incorporation of the provisions of this act into Title 13A of the Code of Alabama 1975; to repeal Code of Alabama 1975, §§ 20-2-70, 20-2-73, 20-2-75, and any and all other laws or parts of laws that conflict with this act, insofar as conduct occurring after the effective date of this act is concerned; to provide that this act is supplemental to other laws not inconsistent with this act and shall not be deemed to repeal such laws; to specify the conduct to which this act applies; to provide for severability; and, to provide an effective date.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend House Bill 391, Section 6, page 4, line 11, after the word "marihuana" by inserting the following:

for other than personal use

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Biddle, Black, Blake, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Fuller, Gaston, Goodwin, Hall, Hammett, Hettinger, Holmes, Hooper, Horn, Johnson (R.G.), Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mitchell, Nicholson, Onderdonk, Parker, Payne, Perdue, Poole, Pratt, Rains, Reed, Rice, Richardson, Smith, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Turnham, Venable, Warren, White (G), White (L) and Zoghby.

—75

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend House Bill 391, Section 9, Subsection (h), page 11, at the beginning of line 9 by striking ~~real property or fixtures~~ and substituting in lieu thereof any property, and on line 12, after the period, by striking the remainder of line 12 and by striking lines 13 through 21 in their entirety.

And the amendment was adopted.

Yeas 76; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Biddle, Black, Blake, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Fuller, Gaston, Goodwin, Hall, Hammett, Hettinger, Holmes, Hooper, Horn, Johnson (R.G.), Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mitchell, Nicholson, Onderdonk, Parker, Payne, Perdue, Poole, Pratt, Reed, Rice, Richardson, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—76

And the bill, H. 391, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Fuller, Gaston, Goodwin, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mitchell, Nicholson, Onderdonk, Parker, Payne, Perdue, Poole, Pratt, Preuitt, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—83

#### CO-SPONSOR ADDED

Rep. Smith was added as co-sponsor to the bill, H. 391.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Ford, the rules were suspended in order to take up out of order the bill, S. 191.

And the bill:

S. 191. To amend Section 5-18-11 of the Code of Alabama 1975 relating to books, accounts and records of licensees under the Alabama Small Loan Act so as to provide further for annual reports of such licensees.

Was read a third time at length and passed.

Yeas 79; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carothers, Clark (D), Clark (J), Clark (W), Coburn,

Coleman, Cosby, Crow, Davis, Dutton, Escott, Fuller, Gaston, Goodwin, Grayson, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McKee, Marietta, Martin, Mathis, Melton, Mitchell, Moore, Nicholson, Onderdonk, Perdue, Poole, Pratt, Preuitt, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—79

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Marietta, the rules were suspended in order to take up out of order the bill, H. 843.

And the bill:

H. 843. To amend Sections 34-11-2, 34-11-4, 34-11-5, 34-11-6, 34-11-7, 34-11-8, 34-11-9, 34-11-11, 34-11-12, 34-11-13, 34-11-15, 34-11-32, and 34-11-35 of the Code of Alabama 1975, which relate to the regulation and registration of professional engineers and land surveyors, so as to regulate further such registration and the fees therefor; to provide for the issuance of certificates of authorization to certain corporations, partnerships or firms practicing engineering or land surveying; and to regulate further the compensation of members of the board of registration for professional engineers and land surveyors, and to provide for corporate practice.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Albright, Beers, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bugg, Buskey (James), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Fuller, Gaston, Goodwin, Grayson, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Lauderdale, McMillan, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—77

#### CO-SPONSOR ADDED

Rep. Coleman was added as co-sponsor to the bill, H. 843.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Flowers, the rules were suspended in order to take up out of order the bill, H. 457.

And the bill:

H. 457. (With Substitute): To amend Sections 16-31-1 and 16-31-4, Code of Alabama 1975, relating to appropriations from the special educational trust fund to state institutions of higher learning for matching American Legion Scholarships, so as to increase such appropriations.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Sections 16-31-1 and 16-31-4, Code of Alabama 1975, relating to appropriations from the special educational trust fund to state institutions of higher learning for matching American Legion Scholarships, so as to increase such appropriations.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 16-31-1 and 16-31-4, Code of Alabama 1975, are hereby amended to read as follows:

“Section 16-31-1. Whenever the American Legion or the American Legion Auxiliary of the state of Alabama shall donate to the state of Alabama, and actually pay in cash to the treasurer of said state, a sum of money amounting to \$1,250.00, there shall be considered as established a free scholarship of the value of ~~\$400.00~~ \$100.00 per year in board and such fees or other charges as that amount would cover or include over and above board for the benefit of the student receiving the benefit of the same or appointed to such scholarship at any of the following institutions of learning: ~~the University of Alabama, Tuscaloosa; Auburn University; University of Montevalle; any of the following; University of North Alabama; Jacksonville State University; Livingston University; and Troy State University; that have or may have a dormitory; Alabama State University; Montgomery Alabama Agricultural and Mechanical University; public institutions of higher learning,~~ that such scholarship shall be and is hereby established for each sum of \$1,250.00 so donated to the state.

“Section 16-31-4. The sum of ~~\$400.00~~ \$100.00 is hereby appropriated annually to each state institution of higher learning described in section 16-31-1 for each scholarship awarded by any such institution as provided in this chapter, which appropriation shall be paid from the Alabama special educational trust fund; provided, that no more than 100 such scholarships shall be provided under this section in any fiscal year.”

Section 2. This Act shall become effective October 1, 1985.

And the substitute was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Fuller, Gaston, Goodwin, Hall, Hammett, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Lauderdale, McMillan, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains,



Reed, Rice, Richardson, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—80

And the bill, H. 457, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Dutton, Flowers, Ford, Fuller, Gaston, Goodwin, Hammett, Hettinger, Holley, Holmes, Hooper, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McMillan, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Rice, Smith, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F) and White (L).

—75

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 341. To amend Sections 34-33-1, 34-33-2, 34-33-3, 34-33-4, 34-33-6, 34-33-7, and 34-33-9 of the Code of Alabama 1975 which relate to the design, installation and maintenance of fire protection sprinkler systems so as to refine the definition of "Fire Protection Sprinkler Contractor and Fire Protection Sprinkler System"; to allow persons designated by the fire marshal to prepare and administer competency tests; to clarify application of this Act to certain owners of fire protection sprinkler systems; to allow for reciprocity among states for recognized permits; to allow a fire protection sprinkler contractor to continue in business for a limited period if the contractor's certificate holder dies or leaves the employment of such contractor; to specify the time for filing renewal applications; and to provide that if plans for a fire protection sprinkler system are required to be submitted to and approved by any municipality, county or the state such plans must bear the permit number of the certified fire protection sprinkler contractor.

McDOWELL LEE,  
Secretary.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Martin, the rules were suspended in order to take up out of order the bill, S. 186.

And the bill:

S. 186. To define and regulate health studios and to provide for criminal penalties.

Was taken up.

## AMENDMENT OFFERED

Rep. Martin offered the following amendment to the bill, S. 186:

1. By striking on page 4, line 9 the figure 4 and inserting in lieu thereof the figure "5".

2. By striking Section 4(d) on page 4 lines 7 and 8 and inserting in lieu thereof the following: "(d) — Provision that period over which the contract is financed shall not be for a period in excess of 24 months.

3. By adding the following as Section 4(e) on page 4 after the conclusion of Section 4(d): "(e) — Buyer has the right to rescind this agreement within a thirty day period after the facility becomes fully operational if there has been any misrepresentation concerning the facilities that would be available to said buyer."

4. By adding the following as Section 4(f) after the conclusion of Section 4(e) on page 4: "(f) — Provision that in the event that buyer moves out of town and there exists no affiliated facility within a 15 mile radius of buyer's new location the contract or membership agreement may be cancelled at buyer's option. On an installment sales contract a pro-rata refund must be available at buyer's option."

## AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 75; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Black, Blake, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Ford, Fuller, Gaston, Goodwin, Grayson, Hall, Hammett, Hettinger, Hooper, Horn, Johnson (R.G.), Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Rains, Rice, Richardson, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (L) and Zoghby.

—75

And the bill, S. 186 as thus amended, was read a third time at length and passed.

Yeas 76; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Carter, Clark (D), Clark (J), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Fuller, Gaston, Goodwin, Grayson, Hall, Hammett, Hettinger, Hooper, Horn, Johnson (R.G.), Kennedy, Kvalheim, Laird, Lauderdale, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Nicholson, Onderdonk, Parker, Penry, Poole, Pratt, Rains, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas,

Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—76

H. 418 INDEFINITELY POSTPONED

On motion of Rep. Martin, the bill:

H. 418. A bill to define and regulate health studios and to provide for criminal penalties.

Was indefinitely postponed.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Faulk, the rules were suspended in order to take up out of order the bill, H. 308.

And the bill:

H. 308. To amend Section 11-43-4, Code of Alabama 1975, as amended, and to amend Section 11-43-45, Code of Alabama 1975, said sections relating to the election of officers in a municipality, so that vacancies may be filled by a majority vote of the members of the council, and all members of the council may vote to fill vacancies any provision of law not withstanding.

Was taken up.

S. 232 SUBSTITUTED FOR H. 308

On motion of Rep. Faulk, the bill, S. 232, was substituted for the bill, H. 308.

And the bill:

S. 232. To amend Section 11-43-4, Code of Alabama 1975, as amended, and to amend Section 11-43-45, Code of Alabama 1975, said sections relating to the election of officers in a municipality, so that vacancies may be filled by a majority vote of the members of the council, and all members of the council may vote to fill vacancies any provision of law notwithstanding.

Was read a third time at length and passed.

Yeas 76; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Biddle, Black, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Fuller, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Hettinger, Hooper, Horn, Johnson (R.G.), Kennedy, Kvalheim, Laird, Lauderdale, McMillan, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Pratt, Reed, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, White (G), White (L) and Zoghby.

—76

## H. 308 INDEFINITELY POSTPONED

On motion of Rep. Faulk, the bill, H. 308, was indefinitely postponed.

## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Mathis, the rules were suspended in order to take up out of order the bill, H. 759.

## H. 759 TEMPORARILY POSTPONED

On motion of Rep. Mathis, the bill, H. 759, was temporarily postponed.

## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Laird, the rules were suspended in order to take up out of order the bill, H. 669.

And the bill:

H. 669. To empower any city or town in this State to acquire, improve and equip land, buildings and other facilities for use by the United States Postal Service; to provide for the financing of costs of such acquisition, improvement and equipment, either as the sole purpose of such financing or combined with any other lawful purpose or purposes; and to provide for the leasing of such land, buildings and facilities to the United States Postal Service.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Crow, Davis, Dutton, Escott, Fuller, Gaston, Goodwin, Gray, Grayson, Hall, Hammett, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Payne, Penry, Perdue, Poole, Rains, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (G), White (L) and Zoghby.

—78

## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Buskey (James), the rules were suspended in order to take up out of order the bill, H. 532.

And the bill:

H. 532. To provide for uniform observation of certain holidays and recesses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker, Albright, Black, Blakeney, Boles, Bowling, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Coleman, Cosby, Crow, Davis, Dutton, Escott, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, McKee, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Pratt, Rains, Reed, Rice, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turnham, Warren, White (G), White (L) and Zoghby.

—67

### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Melton, the rules were suspended in order to take up out of order the bill, H. 373.

And the bill:

H. 373. (With Amendment): To amend Sections 34-14-3, 34-14-5, 34-14-6, 34-14-7 and 34-14-11 of the Code of Alabama 1975, which regulate hearing aid dealers and fitters, so as to provide further for license fees, permits and renewals of same and to provide for certain continuing education requirements for licensees.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Health, said committee amendment being as follows:

Amend H. 373, page 4, line 10, after the word "for" by striking ~~8 hours per week~~ and inserting in lieu thereof 10 hours per month

And the amendment was adopted.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Black, Blake, Blakeney, Boles, Bowling, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Davis, Dutton, Escott, Ford, Fuller, Gaston, Goodwin, Grayson, Hall, Hettinger, Holmes, Hooper, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Mathis, Mitchell, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Rains, Reed, Rogers, Smith, Spratt, Tanner, Trammell, Turner, Turnham, Venable, Warren, White (G), White (L) and Zoghby.

—67

### AMENDMENT OFFERED

Rep. Melton offered the following amendment to the bill, H. 373 as amended:

Amend House Bill 373 in the synopsis on page 1, line 14 by striking the word "week" and inserting in lieu thereof the word "month".

## AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 72; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Beers, Biddle, Black, Blakeney, Boles, Bowling, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Davis, Dutton, Escott, Ford, Fuller, Gaston, Goodwin, Grayson, Hall, Hammett, Hettinger, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Rains, Reed, Rice, Rogers, Sasser, Smith, Spratt, Starkey, Tanner, Trammell, Turner, Turnham, Venable, Warren, White (G), White (L) and Zoghby.

—72

And the bill, H. 373, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Davis, Dutton, Escott, Ford, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hammett, Hettinger, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Rains, Reed, Rice, Sasser, Smith, Spratt, Starkey, Tanner, Trammell, Turner, Turnham, Venable, Warren, White (G), White (L) and Zoghby.

—75

## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Dutton, the rules were suspended in order to take up out of order the bill, H. 816.

## H. 816 TEMPORARILY POSTPONED

On motion of Rep. Dutton, the bill, H. 816, was temporarily postponed.

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bills with the original bills and finds same correctly engrossed, to-wit:

H. 294. To amend Section 36-21-2, Code of Alabama 1975, to increase the subsistence allowance paid to any state law enforcement officer of the state of Alabama who is employed by the department of public safety, department of conservation and natural resources, Alabama alcoholic beverage control board, department of agriculture and industries, Alabama Depart-

ment of Forensic Sciences or the transportation enforcement division of the Alabama public service commission from \$5.00 per day to \$8.00 per day.

Also:

H. 332. To authorize any municipal or county governing body to create a communications district in the respective jurisdiction of such municipality or county for the purpose of establishing a local emergency telephone service, to provide for the governing body of the district, including its powers, and to provide for funding for such district, including provisions for levying an emergency telephone service charge.

JIMMY CLARK,  
Chairman.

And the bills, H. 294 and H. 332 as engrossed, were ordered sent to the Senate.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. White (L), the rules were suspended in order to take up out of order the bill, H. 502.

And the bill:

H. 502. To amend the Code of Alabama 1975, Section 34-23-94, relating to regulating appeals from decisions of the Alabama State Board of Pharmacy, so as to delete the requirement for de novo appeals and to substitute therefor appeals on the record in accordance with the Alabama Administrative Procedure Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Black, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Ford, Fuller, Gaston, Goodwin, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Johnson (R.G.), Kennedy, Kvalheim, Laird, Lauderdale, Marietta, Mathis, Melton, Mikell, Mitchell, Newman, Nicholson, Parker, Perdue, Poole, Preuitt, Rains, Reed, Rice, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, White (G), White (L) and Zoghby.

—71

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Mikell, the rules were suspended in order to take up out of order the bill, H. 401.

And the bill:

H. 401. This bill authorizes the Health Department to charge fees to reimburse the cost of laboratory analyses and services provided that are not otherwise specified for the Health Department to perform by law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 2.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Campbell, Clark (D), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McDowell, McKee, Marietta, Mathis, Melton, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Perdue, Preuitt, Reed, Rice, Rogers, Sasser, Spratt, Starr, Tanner, Thomas, Trammell, Turner, Venable, White (F), White (G), White (L) and Zoghby.

—75

Nays: Reps.: Moore and Rains.

—2

## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Campbell, the rules were suspended in order to take up out of order the bill, H. 769.

And the bill:

H. 769. To amend Section 35-4-6, Code of Alabama 1975, which provides for recordation of leasehold estates for more than 20 years, so as to provide further for the recordation of said leases.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 1.

Yeas:

Mr. Speaker, Albright, Beers, Biddle, Black, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Crow, Dutton, Gaston, Gray, Grayson, Hall, Hammett, Hettinger, Hooper, Johnson (R.G.), Junkins, Kennedy, Kvalheim, Lauderdale, McDowell, Marietta, Martin, Mathis, Melton, Mitchell, Newman, Nicholson, Parker, Payne, Perdue, Preuitt, Reed, Rice, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, White (G), White (L) and Zoghby.

—66

Nay: Rep. Holley.

—1

## RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Martin and Parker:

H. R. 326. COMMENDING MISS FRANCES E. NUNGESTER, PROMINENT ALABAMA EDUCATOR.

## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Davis, the rules were suspended in order to take up out of order the bill, H. 684.



Yeas 57; Nays 1.

Yeas:

Mr. Speaker, Albright, Black, Blakeney, Bowling, Box, Britnell, Brooks, Bugg, Burke, Buskey (James), Buskey (John), Butler, Clark (D), Clark (J), Coleman, Davis, Dutton, Escott, Fuller, Grayson, Hall, Hammett, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Kennedy, Lauderdale, Mathis, Melton, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Tanner, Thomas, Turner, Venable, Warren, White (G), White (L) and Zoghby.

—57

Nay: Rep. Mitchell.

—1

And the bill:

H. 684. To amend Section 40-9-12 to add Birmingham Football Foundation, Inc., a non-profit corporation, as an organization to which its tax exemption provisions apply.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Biddle, Black, Blake, Bowling, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Coleman, Davis, Dutton, Escott, Fuller, Gaston, Goodwin, Grayson, Hall, Hammett, Harper, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, McDowell, Marietta, Mathis, Melton, Moore, Newman, Nicholson, Parker, Payne, Penry, Perdue, Preuitt, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Tanner, Thomas, Trammell, Turner, Venable, White (G), White (L) and Zoghby.

—69

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Johnson (Roy), the rules were suspended in order to take up out of order the bill, H. 152.

And the bill:

H. 152. Relating to dental practice insurance coverage in health insurance policies, and employee benefit plans so as to allow any individual who has dental insurance coverage or contract benefits, the right to select any dentist of his choice to furnish the dental care provided under such plans or policies; to provide that it shall be the duty and responsibility of the commissioner of insurance to enforce the provisions of this Act; and to provide for penalties for violations as provided in Section 27-1-12 of the Code of Alabama 1975.

Was taken up.

#### S. 211 SUBSTITUTED FOR H. 152

On motion of Rep. Johnson (Roy), the bill, S. 211, was substituted for the bill, H. 152.

And the bill:

S. 211. (With Amendment): Relating to dental practice insurance coverage in health insurance policies and employee benefit plans so as to allow any individual who has dental insurance coverage or contract benefits, the right to select any dentist of his choice to furnish the dental care provided under such plans or policies; to provide that it shall be the duty and responsibility of the commissioner of insurance to enforce the provisions of this Act; and to provide for penalties for violations as provided in Section 27-1-12 of the Code of Alabama 1975.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Health, said committee amendment being as follows:

Amend S. 211, page 2, line 33, after the word "Section" by striking 2 and inserting in lieu thereof 3 and by renumbering remaining sections accordingly.

#### AMENDMENT TABLED

On motion of Rep. Johnson (Roy), the amendment reported by the Standing Committee on Health to the bill, S. 211, was tabled.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker, Albright, Bachus, Beers, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Coburn, Coleman, Cosby, Davis, Dutton, Ford, Fuller, Gaston, Goodwin, Hall, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Mathis, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Tanner, Thomas, Trammell, Turner, Turnham, Venable, White (G), White (L) and Zoghby.

—63

#### AMENDMENT OFFERED

Rep. Turnham offered the following amendment to the bill, S. 211:

Amend Senate Bill 211, Section 1, Page 1, Line 31, after the word "Services" by adding the following:

However, nothing in this act shall be applicable to any Corporation organized and doing business pursuant to the "Dental Services Corporation Act (Acts 1982, No. 82-463) and such corporations shall be exempt from the requirements herein.

#### AMENDMENT TABLED

On motion of Rep. Johnson (Roy), the amendment offered by Rep. Turnham to the bill, S. 211, was tabled.

Yeas 66; Nays 3.

Yeas:

Mr. Speaker, Adams, Albright, Beers, Blake, Blakeney, Boles, Bowling, Box,

Brakefield, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (J), Coburn, Coleman, Cosby, Davis, Dutton, Escott, Ford, Fuller, Gaston, Goodwin, Hall, Hammett, Harper, Hettinger, Holley, Hooper, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, McDowell, Marietta, Martin, Mathis, Melton, Newman, Nicholson, Onderdonk, Parker, Perdue, Richardson, Rogers, Smith, Spratt, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (G) and White (L).

—66

*Nays:* Reps.: Grayson, Rice and Turnham.

—3

And the bill, S. 211, was read a third time at length and passed.

Yeas 77; Nays 2.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Black, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Davis, Dutton, Escott, Ford, Fuller, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, McDowell, Marietta, Martin, Mathis, Melton, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Preuitt, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

—77

*Nays:* Reps.: Grayson and Turnham.

—2

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Dutton, the rules were suspended in order to take up out of order the bill, H. 816.

And the bill:

H. 816. To provide, in addition to benefits now received, a graduated percentage cost-of-living increase to all probate judges retired under the Judicial Retirement Fund of Alabama, prior to October 1, 1983; and to provide for the repeal of conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 5.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Burke, Buskey (James), Butler, Carothers, Clark (D), Clark (J), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Ford, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Harper, Hettinger, Hooper, Johnson (R.G.), Kennedy, Kvalheim, Laird, Lauderdale, McMillan, Marietta, Martin, Mathis, Moore, Newman, Nicholson, Onderdonk, Penry, Preuitt, Reed, Rice, Rogers, Spratt, Starkey, Tanner, Thomas, Trammell, Turner, Turnham, Warren, White (G), White (L) and Zoghby.

—63

Nays: Reps.: Carter, Holley, Holmes, Junkins and Payne.

—5

#### CO-SPONSOR ADDED

Rep. Grouby was added as co-sponsor to the bill, H. 816.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 341. To amend Sections 34-33-1, 34-33-2, 34-33-3, 34-33-4, 34-33-6, 34-33-7, and 34-33-9 of the Code of Alabama 1975 which relate to the design, installation and maintenance of fire protection sprinkler systems so as to refine the definition of "Fire Protection Sprinkler Contractor and Fire Protection Sprinkler System"; to allow persons designated by the fire marshal to prepare and administer competency tests; to clarify application of this Act to certain owners of fire protection sprinkler systems; to allow for reciprocity among states for recognized permits; to allow for a fire protection sprinkler contractor to continue in business for a limited period if the contractor's certificate holder dies or leaves the employment of such contractor; to specify the time for filing renewal applications; and to provide that if plans for a fire protection sprinkler system are required to be submitted to and approved by any municipality, county or the state such plans must bear the permit number of the certified fire protection sprinkler contractor.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 208. To amend Section 16-8-26, Code of Alabama, 1975, which provides for personal leave for teachers, so as to provide further for said leave, and to provide for creditable service for purposes of service retirement for unused accrued sick leave.

Also:

H. 554. To allow the Governor, the Director of Finance and the Commissioner of Agriculture and Industries to organize a public corporation for the purpose of issuing bonds or other debt securities to be used for con-

structing and maintaining an agricultural market facility and to renovate the existing Garrett Coliseum and other buildings on the Coliseum grounds; to provide procedures for the organization of said corporation; to set out powers of the corporation; to authorize the issuance of up to \$6,000,000 in securities, which shall be special obligations of the corporation, payable from specified sources and which shall not be obligations or debts of any kind of the State; to provide that not more than 60% of the proceeds of sale of such securities may be expended for the construction of an agricultural market facility and not more than 40% of such proceeds may be expended for renovation of the Coliseum and other buildings on the Coliseum grounds; to provide for methods of executing and selling such securities and for paying the principal of and any premium and interest on such securities; to provide that the monies realized from leases paid by the public for use of the market, after expenses incurred in operating the market are deducted, may be pledged and used to defray the cost of 60% of the securities; to provide that the monies obtained from the public for rents and other receipts realized from use of the Coliseum, after expenses incurred in operating the Coliseum are deducted, may be pledged and used to defray the cost of 40% of the securities; and to provide that, if all of the above funds are insufficient, then to pledge monies received from fees, licenses, permits, fines and penalties collected by the Department of Agriculture and Industries and paid into the agricultural fund, for the payment of the principal of and any premium and interest on the securities; to provide that any monies received from the sale of the securities shall only be used to construct, acquire and equip an agricultural market facility, and for renovation of the Coliseum and other buildings located on the Coliseum grounds; to provide that the State Board of Agriculture and Industries shall construct the market under the guidance of the State Building Commission; to provide that the Agricultural Center Board shall be responsible for renovation of the Coliseum and other buildings on the Coliseum grounds; to provide for the refunding of the securities and procedures for the deposit, investment and disposition of proceeds of sale of the securities; to provide for limitation of any action to contest the validity of the securities; to provide that the securities are legal investments and that the securities of the corporation and any premium and interest thereon, the property and income of the corporation, and any public filings by it are exempt from taxation; and to provide for dissolution of the corporation.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### H. 152 INDEFINITELY POSTPONED

On motion of Rep. Johnson (Roy), the bill, H. 152, was indefinitely postponed.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 458. To create the Motor Fuel Marketing Act in order to protect Alabama's consumers against major oil company monopolies; to encourage fair and honest competition and to safeguard the public against unfair practices involving the sale of motor fuel in wholesale and retail trades; to provide for enforcement of the Act and penalties for violations; and for related purposes as well as to make certain declarations.

Also:

S. 21. To create, within the Alabama Development Office, an Alabama Small Business Office of Advocacy to serve as the principal advocate in the state on behalf of small businesses, including advisory participation in the consideration of legislation and administrative regulations affecting small businesses; to specify the functions and duties of the office; and to require the office to submit an annual report to the Governor and the legislature describing the activities and recommendations of the office.

Also:

S. 78. Providing for the termination of parental rights and responsibilities of parents who are unable or unwilling to discharge their responsibilities to and for the child; providing certain definitions; enumerating the circumstances to be considered by the court in cases where such rights and responsibilities are sought to be terminated; providing for the procedure to be followed in termination cases; providing for the disposition of such cases; and providing for periodic review of the circumstances of certain children.

McDOWELL LEE,  
Secretary.

## SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Crow, the rules were suspended in order to take up out of order the bill, H. 593.

And the bill:

H. 593. (With Amendment): To provide for the department of public safety to issue special nondriver identification cards for retarded persons and to prescribe a certain issuance fee for such cards with the proceeds from such fees earmarked to said department.

Was taken up.

The question was then on the adoption of the amendment reported by

the Standing Committee on State Administration, said committee amendment being as follows:

Amend H. B. 593 on page 1 in the Synopsis on lines 11 and 12 by striking the following after the words "\$2.00 for": ~~a-four-year~~ and inserting in lieu thereof, the following: an eight-year

Further amend H. B. 593 on page 1, Section 1, line 34 by striking the following after the words "2.00 for": ~~a-four-year~~ and inserting in lieu thereof, the following: an eight-year

And the amendment was adopted.

Yeas 80; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Ford, Fuller, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Kennedy, Kvalheim, Laird, Lauderdale, McDowell, Marietta, Martin, Mathis, Melton, Mikell, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Preuitt, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—80

And the bill, H. 593, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Ford, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Kennedy, Kvalheim, Laird, Lauderdale, McDowell, Martin, Mathis, Melton, Mikell, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Preuitt, Reed, Rice, Richardson, Smith, Spratt, Starkey, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—80

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Mitchell, the rules were suspended in order to take up out of order the bill, H. 476.

And the bill:

H. 476. Relating to the functions of the Alabama board of funeral service; to amend Sections 34-13-50, 34-13-55, 34-13-70, 34-13-72, 34-13-90, 34-13-130 and 34-13-132 of the Code of Alabama 1975, so as to clarify the educational requirements of applicants for examination and licensure; to extend the time in which a license may be reinstated; to provide for payment of

actual cost of any examination; and to provide further for terms of service of an apprenticeship and the due date for the annual report of an apprentice.

Was taken up.

#### AMENDMENT OFFERED

Rep. Mitchell offered the following amendment to the bill, H. 476:

On page 1, lines 24 and 33, after the language "34-13-132", insert the following language:

and 34-13-57

On page 6, after line 6, insert the following language:

"§ 34-13-57.

"The executive secretary of the board shall mail notices to all applicants and all established funeral firms in the state 15 days before an examination, listing the names of all persons admitted by the board to take the examination and setting out the time and place of the examination."

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Grouby, Hall, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McDowell, McKee, Martin, Mathis, Melton, Mitchell, Nicholson, Onderdonk, Parker, Payne, Perdue, Preuitt, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—78

#### AMENDMENT OFFERED

Rep. Mitchell offered the following amendment #2 to the bill, H. 476 as amended.

Amend H. B. 476 in the Title, page 1, line 23, after the word "Sections", by inserting the following figures:

34-13-1,

Also, on page 1, Section 1, line 32, after the word "Sections", amend by inserting the following figures:

34-13-1,

Also, on page 1, Section 1, on a line below line 34, amend by inserting the following:

"§ 34-13-1.

"(a) For purposes of this chapter, the following terms shall have the respective meanings ascribed by this section:



“(1) BOARD. The Alabama board of funeral service.

“(2) EMBALMING. The practice, science or profession, as commonly practiced, of preserving, disinfecting and preparing by application of chemicals or other effectual methods human dead for burial, cremation or transportation.

“(3) EMBALMER. Any person engaged or holding himself out as engaged in the business, practice, science or profession of embalming, whether on his own behalf or in the employ of a registered and licensed funeral director.

“(4) PRACTICAL EMBALMER. Any person who has been actively and continuously engaged or employed in the practice of embalming under the supervision of a licensed embalmer for four consecutive years immediately preceding May 1, 1975, and has been issued a license as such as a practical embalmer under the grandfather provisions of this chapter.

“(5) CEMETERY. A place dedicated to and used or intended to be used for the permanent interment of human remains. It may be either land or earth interment; a mausoleum for vault or crypt entombment; a structure or place used or intended to be used for the interment of cremated remains; cryogenic storage; or any combination of one or more thereof.

“(6) CEMETERY AUTHORITY. Any individual, person, firm, profit or nonprofit corporation, trustee, partnership, society, religious society, church, association or denomination, municipality or other group or entity, however organized, insofar as they or any of them may now or hereafter establish, own, operate, lease, control or manage one or more cemeteries, burial parks, mausoleums, crematories, columbariums or any combination or variation thereof, or hold lands or structures for burial grounds or burial purposes in this state and engage in the operation of a cemetery, including any one or more of the following: the care and maintenance thereof; the interment, entombment or cremation and memorialization of the human dead therein; the sale, installation, care, maintenance or any combination thereof, with respect to monuments, markers, foundations, memorials, burial vaults, urns, crypts, mausoleums, columbariums, flower vases, floral arrangements and other cemetery accessories, for installation or use within a cemetery; and the supervision and conduct of funeral and burial services within the bounds of the cemetery. It is the legislative intent of this chapter that a cemetery authority, to the extent that it engages in any of the foregoing described activities, shall not be affected by this chapter and shall not be deemed to have entered into or engaged in the practice of funeral directing, embalming or funeral establishment operation.

“(7) FUNERAL ESTABLISHMENTS. The term ‘funeral home,’ ‘mortuary’ or ‘funeral establishment’ shall be construed to be a place at a specific street address or location where the profession of funeral directing and embalming, as defined in this chapter, is practiced in the care, planning and preparation for burial or cremation or transportation of human dead, but shall not include any cemetery or land or structure owned, operated, leased, controlled or managed by any cemetery authority as a cemetery. All of such places shall consist of and shall maintain the following facilities:

“a. A preparation room equipped with a sanitary floor and necessary drainage and ventilation and containing necessary approved tables, instruments and supplies for the preparation and embalming of dead human bodies for burial, cremation and transportation.

"b. A display room containing a stock of adult caskets and funeral supplies.

"c. At least one motor vehicle equipped for transporting casketed human remains.

"(8) APPRENTICE EMBALMER or EMBALMER'S APPRENTICE. Any person engaged in the study of the art of embalming under the instructions and supervision of a licensed embalmer and practicing in this state.

"(9) APPRENTICE FUNERAL DIRECTOR or FUNERAL DIRECTOR'S APPRENTICE. Any person operating under or in association with a funeral director for the purpose of learning the business or profession of funeral director, to the end that he may become licensed under the provisions of this chapter.

"(10) MORTUARY SCIENCE. The scientific, professional and practical aspects, with due consideration given to accepted practices, covering the care, preparation for burial or transportation of dead human bodies, which shall include the preservation and sanitation thereof and restorative art and, as such, is related to public health, jurisprudence and good business administration.

"(11) OPERATOR. A person, corporation, firm, legal representative or other organization owning or operating a funeral establishment.

"(12) ACCREDITED SCHOOL or COLLEGE OF MORTUARY SCIENCE. A school or college approved by the Alabama board of funeral service and which maintains a course of instruction of not less than 48 calendar weeks or four academic quarters or college terms and which gives a course of instruction in the fundamental subjects as set forth but not limited to the following:

"a. Mortuary management and administration;

"b. Legal medicine and toxicology as it pertains to funeral directing;

"c. Public health, hygiene and sanitary science;

"d. Mortuary science, to include embalming technique, in all its aspects; chemistry of embalming, color harmony; discoloration, its causes, effects and treatment; treatment of special cases; restorative art; funeral management; and professional ethics;

"e. Anatomy and physiology;

"f. Chemistry, organic and inorganic;

"g. Pathology;

"h. Bacteriology;

"i. Sanitation and hygiene;

"j. Public health regulations; and/or

"k. Other courses of instruction in fundamental subjects as may be prescribed by the Alabama board of funeral service.

"(13) AMERICAN BOARD OF FUNERAL SERVICE EDUCATION. That funeral service educational organization which is an agency granted official recognition by the United States commissioner of education and which is composed of members representing the American Association of

Colleges of Mortuary Science, the Conference of Funeral Service Examining Board of the United States, Inc., the National Association of Colleges of Mortuary Science, the University Mortuary Science Education Association and which has as its object the furtherance of education in the field of funeral service and in fields necessary thereto or allied therewith and further to formulate standards of funeral service education and to grant accreditation to qualified schools and colleges of mortuary science and to do all things incidental to the foregoing.

"(14) FUNERAL SUPPLIES or FUNERAL MERCHANDISE. Caskets made of any material for use in the burial or transportation of human dead; outer receptacles, when sold by a funeral director, including burial vaults and urns (for cremated human remains); clothing used to dress human dead when sold by a funeral director; and all equipment and accouterments normally required for the preparation for burial or funeral and other disposition of human dead; provided the aforementioned supplies and merchandise shall be sold to the public from a licensed funeral establishment, unless otherwise provided in this chapter.

"(15) FUNERAL DIRECTOR. ~~A person required to be licensed to practice the profession of funeral directing under the laws of this state, who meets the public, displays and sells or offers to sell funeral merchandise or supplies; who plans details of funeral services with members of the family and minister or any other person responsible for such planning, or who directs, is in charge, or apparent charge of, and supervises such service in a funeral home, church or other places; who enters into the making, negotiation or completion of financial arrangements for funerals, including, but not limited to, the sale and selection of funeral supplies, or who uses in connection with the profession of funeral directing the words or terms 'funeral director,' 'undertaker,' 'funeral counselor,' 'mortician' or any other word, term or picture or combination thereof when considered in context in which used, from which can be implied the practicing of the profession of funeral directing or that the person using such word, term or picture can be implied to be holding himself out to the public as being engaged in the profession of funeral directing; provided, for the purposes of this chapter such term or terms shall not include any cemetery authority as herein defined. Any person engaged or holding himself out as engaged in the business, practice, or profession of funeral directing, as provided under the laws of this state.~~

"(16) FUNERAL DIRECTING. ~~The practice of directing or supervising funerals or the practice of preparing dead human bodies for burial by means other than embalming, or the preparation for the disposition of dead human bodies; the making of arrangements or providing for funeral services or the selling of or offering for sale funeral merchandise or funeral supplies or the making of financial arrangements for the rendering of said services or the sale of such merchandise or supplies, or the provision or maintenance of a place for the preparation for disposition of dead human bodies, or the use of the words or term 'funeral director,' 'undertaker,' 'mortician,' 'funeral parlor' or any other word or term from which can be implied the practice of funeral directing; or the holding out to the public that one is a funeral director or engaged in a practice herein described.~~

"The practice of one or more of the following activities:

"a. Displaying and/or selling or offering to sell, at retail, funeral merchandise or supplies;

"b. direction of the preparing of dead human bodies, for burial or other disposition, by means other than embalming;

"c. planning of details or making arrangements of funeral services with members of the family or minister or any other person responsible for such planning;

"d. directing, in charge or in apparent charge of, and supervising such service in a funeral home, church, or other places;

"e. entering into the making, negotiation, or completion of financial arrangements for the rendering of said services or the sale of such merchandise or supplies;

"f. providing or maintaining a place for the preparation for disposition of dead human bodies;

"g. using the words or terms 'funeral director,' 'undertaker,' 'funeral counselor,' 'mortician,' 'funeral parlor,' or any other word or term or combination thereof, from which can be implied the practice of funeral directing; or the holding out to the public that one is a funeral director or engaged in a practice herein described."

"(b) Nothing in this chapter shall require a funeral director or funeral establishment to have or provide a chapel or to restrict, in any manner, the conduct of funeral services from a church or chapel.

"(c) Nothing contained in the foregoing definition of funeral directing, or in any other provision of this chapter, shall be deemed or construed to be applicable to or to regulate or restrict in any manner cemetery authorities in the conduct of activities of a cemetery authority as defined in this chapter; or to be applicable to or to regulate or restrict, in any manner, the carrying on by any cemetery authority of any and all activities, functions, practices and services which may now or hereafter (i) constitute any part of the operation or management of a cemetery or of the property of a cemetery as defined in this chapter or (ii) otherwise consist of the interment or entombment of the human dead or memorialization of the human dead in any manner within a cemetery property."

#### AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Lauderdale, McDowell, McKee, Martin, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Perdue, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—82

And the bill:

H. 476. Relating to the functions of the Alabama board of funeral service; to amend Sections 34-13-1, 34-13-50, 34-13-55, 34-13-70, 34-13-72, 34-

13-90, 34-13-130, 34-13-132 and 34-13-57 of the Code of Alabama 1975, so as to clarify the educational requirements of applicants for examination and licensure; to extend the time in which a license may be reinstated; to provide for payment of actual cost of any examination; and to provide further for terms of service of an apprenticeship and the due date for the annual report of an apprentice.

As thus amended, was read a third time at length, passed and ordered engrossed.

Yeas 80; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Lauderdale, McKee, Marietta, Martin, Mathis, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Perdue, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—80

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Moore, the rules were suspended in order to take up out of order the bill, H. 778.

And the bill:

H. 778. To amend Section 34-22-40, Code of Alabama 1975, which establishes the Alabama board of optometry, so as to provide further for the terms of office of the members of said board.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

*Yeas:*

Mr. Speaker, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Grayson, Grouby, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Lauderdale, McDowell, McKee, Martin, Mathis, Melton, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Perdue, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—77

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Cosby, the rules were suspended in order to take up out of order the bill, H. 416.

And the bill:

H. 416. (With Amendments): To protect, preserve, maintain, and enhance the scenic, recreational, and other qualities of the Cahaba River by reinforcing existing surface mining laws, solid waste laws, water pollution laws, and water quality standards in and near the river; to regulate certain alterations and impoundments of the river; to establish a management corridor along the river within which the building or establishment of transportation facilities and other man-made structures and the harvesting of timber may be performed as approved by the Commissioner of Conservation and Natural Resources; and to prescribe remedies and penalties for violation of the act.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Natural Resources, said committee amendment being as follows:

Amend H. B. 416 on page 14, Section 24, line 33 after the word "geologist" by adding the following:

, one aquatic biologist, one terrestrial biologist from the State University System, one hydrologist from the Alabama Water Improvement Commission.

Amend further on page 15, Section 24, line 1 after the word "conservationist," by striking the following:

~~one biologist,~~

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (Roy), Kvalheim, Laird, Lauderdale, McDowell, McKee, Marietta, Melton, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Turnham, Venable, White (F), White (G), White (L) and Zoghby.

—74

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Natural Resources, said committee amendment being as follows:

Amend H. B. 416 on page 3, Section 4, lines 20 through 21 by striking after the word "river" the following:

~~first enters or flows into Bibb County; and~~

and inserting in lieu thereof, the following:

intersects with Black Creek in the SW¼ of SE¼ of Section 10 of Township 15, Range SW of Bibb County; and

And the amendment was adopted.

Yeas 74; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (W), Coburn, Coleman, Cosby, Davis, Dutton, Flowers, Ford, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McKee, Marietta, Melton, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—74

And the bill, H. 416, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Davis, Dutton, Flowers, Ford, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Lauderdale, McKee, Marietta, Nicholson, Onderdonk, Parker, Payne, Perdue, Preuitt, Rains, Reed, Rice, Richardson, Sasser, Smith, Spratt, Starkey, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—71

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Coleman, the rules were suspended in order to take up out of order the bill, H. 260.

And the bill:

H. 260. To amend Section 38-2-6.1, Code of Alabama 1975, which provides for the office of state parent locator for the location of absent parents, so as to provide further for said office by providing the office with the authority to locate parents, putative parents, or children in cases of parental kidnapping or child custody disputes and providing that location information may be obtained from the Department of Revenue and private employers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Biddle, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark

(W), Coburn, Coleman, Crow, Davis, Dutton, Escott, Flowers, Ford, Gaston, Goodwin, Grouby, Hammett, Harper, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McDowell, McKee, Marietta, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—79

## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Crow, the rules were suspended in order to take up out of order the bill, H. 638.

And the bill:

H. 638. To amend Section 41-16-50, Code of Alabama 1975, which provides for competitive bidding on contracts of certain state and local agencies, so as to increase the amount of the contract requiring said bidding.

Was taken up.

## AMENDMENT OFFERED

Rep. Hall offered the following amendment to the bill, H. 638:

On page 1, line 30, delete the language "\$2,000.00 \$3,000.00 or more," and insert in lieu thereof:

\$2,000.00 or \$3,000.00 if it is determined an emergency exists

## AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 62; Nays 4.

Yeas:

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Coleman, Cosby, Davis, Dutton, Escott, Ford, Gaston, Grouby, Hall, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Kvalheim, Laird, McMillan, Marietta, Martin, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Rains, Reed, Rice, Richardson, Smith, Spratt, Starkey, Trammell, Turner, Warren, White (G), White (L) and Zoghby.

—62

Nays:

Reps.: Campbell, Clark (J), Coburn and Holley.

—4

And the bill, H. 638, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 1.



*Yeas:*

Mr. Speaker, Adams, Albright, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Dutton, Escott, Ford, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Johnson (R.G.), Kennedy, Kvalheim, Laird, Lauderdale, McDowell, McKee, McMillan, Martin, Mathis, Melton, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Sasser, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Venable, Warren, White (L) and Zoghby.

—77

*Nay:* Rep. Holley.

—1

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Coburn, the rules were suspended in order to take up out of order the bill, H. 599.

And the bill:

H. 599. To amend Section 16-13-190 of the Code of Alabama of 1975.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Butler, Campbell, Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Dutton, Escott, Ford, Gaston, Goodwin, Hammett, Harper, Harvey, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McDowell, McMillan, Marietta, Martin, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Rice, Richardson, Sasser, Smith, Spratt, Starkey, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (L) and Zoghby.

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#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Nicholson, the rules were suspended in order to take up out of order the bill, S. 428.

And the bill:

S. 428. To authorize fiduciaries to invest in and hold, in addition to any other investments authorized by law, interests in any common trust fund or collective investment fund maintained by any financial institution having trust powers or in securities of or other interests in any open-end or closed-end management type investment company or investment trust registered under the Investment Company Act of 1940, provided that the portfolio of such fund, company or trust is limited to the classes of trust investments allowed by law.

Was read a third time at length and passed.

Yeas 80; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Grouby, Hall, Harper, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McDowell, McKee, McMillan, McNair, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Rains, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Warren, White (F), White (L) and Zoghby.

—80

#### H. 461 INDEFINITELY POSTPONED

On motion of Rep. Nicholson, the bill:

H. 461. To authorize fiduciaries to invest in and hold, in addition to any other investments authorized by law, interests in any common trust fund or collective investment fund maintained by any financial institution having trust powers or in securities of or other interests in any open-end or closed-end management type investment company or investment trust registered under the Investment Company Act of 1940, provided that the portfolio of such fund, company or trust is limited to the classes of trust investments allowed by law.

Was indefinitely postponed.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Onderdonk, the rules were suspended in order to take up out of order the bill, H. 216.

And the bill:

H. 216. To be known as the "Alabama Nonprofit Corporation Act" revising the laws of Alabama in Title 10 of the Code of Alabama 1975 providing for: definitions; general substantive provisions; formation of nonprofit corporations; amendments; merger, consolidation and sale of assets; dissolution; foreign nonprofit corporations; provides for fees and miscellaneous charges; and provide powers of probate judge or secretary of state; repealing Chapter 3 (Nonprofit Corporations) Articles 1 through 8 of Title 10 of the Code of Alabama (1975), Chapter 4, Articles 12 and 15 of Title 10 of the Code of Alabama (1975), § 10-4-261 through § 10-4-263; § 10-4-281 through § 10-4-284; and amending § 10-4-260 and § 10-4-280, Code of Alabama (1975).

Was taken up.

#### S. 130 SUBSTITUTED FOR H. 216

On motion of Rep. Onderdonk, the bill S. 130, was substituted for the bill, H. 216.

And the bill:

S. 130. To be known as the "Alabama Nonprofit Corporation Act" revising the laws of Alabama in Title 10 of the Code of Alabama 1975 provid-

ing for: definitions; general substantive provisions; formation of nonprofit corporations; amendments; merger, consolidation and sale of assets; dissolution; foreign nonprofit corporations; provides for fees and miscellaneous charges; and provide powers of probate judge or secretary of state; repealing Chapter 3 (Nonprofit Corporations) Articles 1 through 8 of Title 10 of the Code of Alabama (1975), Chapter 4, Articles 12 and 15 of Title 10 of the Code of Alabama (1975), § 10-4-261 through § 10-4-263; § 10-4-281 through § 10-4-284; and amending § 10-4-260 and § 10-4-280, Code of Alabama (1975).

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Hall, Hammett, Harper, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McMillan, McNair, Marietta, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Pratt, Rains, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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#### CO-SPONSOR ADDED

Rep. Bachus was added as co-sponsor to the bill, H. 216.

#### H. 216 INDEFINITELY POSTPONED

On motion of Rep. Onderdonk, the bill, H. 216, was indefinitely postponed.

#### RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Hall:

H. R. 327. COMMENDING COACH RALPH C. CHAMPION AND NAMING THE NEW GYM AT CENTRAL JUNIOR HIGH SCHOOL, MADISON COUNTY, ALABAMA, "THE RALPH C. CHAMPION GYM".

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Campbell, the rules were suspended in order to take up out of order the bill, H. 668.

And the bill:

H. 668. (With Substitute): To provide for one additional circuit judgeship each for the 11th, 13th, 15th and 28th judicial circuits of Alabama; to provide for four additional circuit judgeships for the 10th judicial circuit; to prescribe the jurisdiction, powers, duties, responsibilities and compensation of such judges; to increase the number of circuit judges in each of these judicial circuits by amending Section 12-17-20, Code of Alabama 1975; to

provide for the designation of these additional judgeships to particular divisions of the respective circuit courts; to provide for the initial appointment by the Governor of judges to fill these positions beginning October 1, 1984; to provide for the subsequent election of judges to fill these positions; to provide an appropriation to the Unified Judicial System to fund said judgeships; to repeal Acts 82-546 and 82-676; and, to provide an effective date.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To provide for one additional circuit judgeship each for the 11th, 13th, 15th and 28th judicial circuits of Alabama; to provide for four additional circuit judgeships for the 10th judicial circuit; to provide for one additional district judgeship for Russell County; to prescribe the jurisdiction, powers, duties, responsibilities and compensation of such judges; to increase the number of circuit judges in each of these judicial circuits by amending Section 12-17-20, Code of Alabama 1975; to provide for the designation of these additional judgeships to particular divisions of the respective circuit courts; to provide for the initial appointment by the Governor of judges to fill these positions beginning October 1, 1984; to provide for the subsequent election of judges to fill these positions; to provide an appropriation to the Unified Judicial System to fund said judgeships; to repeal Acts 82-546 and 82-676; and, to provide an effective date.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created one additional circuit judgeship for each of the 11th, 13th, 15th and 28th judicial circuits. There is hereby created four (4) additional circuit judgeships for the 10th judicial circuit. The existing judgeships of said circuits shall continue to be designated in their present manner and the additional judgeships shall be appropriately numbered. There is hereby created one additional district judgeship for Russell County.

Section 2. The judges of said additional circuit and district judgeships shall have and exercise all of the jurisdiction, powers, rights, and authority, and possess all of the qualifications, perform all of the duties and be subject to all of the pains, obligations and penalties that other circuit and district judges may exercise, perform or be subject to. Provided, the additional circuit judgeship provided for the 15th judicial circuit shall be designated to the family court division of said circuit court. The additional circuit judgeship provided for the 11th judicial circuit may be designated to a family court division by the presiding circuit judge pursuant to Section 12-17-24.1, Code of Alabama 1975. Of the four additional judgeships created herein for the 10th Judicial Circuit, the judgeship receiving the twenty-third (23rd) numerical designation shall serve the Birmingham domestic relations division, and the judgeships receiving the twenty-first (21st), twenty-second (22nd) and twenty-fourth (24th) numerical designations shall serve the Birmingham civil division.

Section 3. The additional circuit and district judges provided in this act shall receive the same salary and supplements, payable in the same

manner, as the other circuit and district judges of their respective judicial circuit or county.

Section 4. The additional circuit and district judgeships created herein shall be filled by appointment by the Governor, pursuant to the appropriate provisions of the Constitution, said appointees to serve an initial term beginning on or after October 1, 1984, and lasting until the first Monday after the second Tuesday in January following the next general election held after they have completed one year in office. At such general election the additional judgeships provided herein shall be filled for a full term of office beginning at the end of the appointed terms.

Section 5. Section 12-17-20, Code of Alabama 1975, is hereby amended to read as follows:

“§ 12-17-20.

“(a) Except as otherwise provided in this section, each judicial circuit of the state shall have one resident circuit judge.

“(b) In the following judicial circuits, there shall be the number of resident circuit judges listed below:

“(1) There shall be two circuit judges in the first judicial circuit. The judge occupying judgeship No. 1 shall be the presiding judge.

“(2) There shall be two circuit judges in the fourth judicial circuit.

“(3) There shall be three circuit judges in the fifth judicial circuit.

“(4) There shall be five circuit judges in the sixth judicial circuit.

“(5) There shall be four circuit judges in the seventh judicial circuit.

“(6) There shall be three circuit judges in the eighth judicial circuit.

“(7) There shall be two circuit judges in the ninth judicial circuit.

“(8) There shall be ~~20~~ 24 circuit judges in the tenth judicial circuit.

“(9) There shall be ~~two~~ three circuit judges in the eleventh judicial circuit.

“(10) There shall be two circuit judges in the twelfth judicial circuit.

“(11) There shall be ~~nine~~ ten circuit judges in the thirteenth judicial circuit.

“(12) There shall be three circuit judges in the fourteenth judicial circuit.

“(13) There shall be ~~six~~ seven circuit judges in the fifteenth judicial circuit. At least two judges shall be assigned to the criminal division of said circuit, and one or more judges shall be assigned to the civil division, in the discretion of the presiding judge.

“(14) There shall be four circuit judges in the sixteenth judicial circuit.

“(15) There shall be three circuit judges in the eighteenth judicial circuit.

“(16) There shall be two circuit judges in the nineteenth judicial circuit.

"(17) There shall be three circuit judges in the twentieth judicial circuit.

"(18) There shall be two circuit judges in the twenty-second judicial circuit.

"(19) There shall be six circuit judges in the twenty-third judicial circuit.

"(20) There shall be two circuit judges in the twenty-fifth judicial circuit.

"(21) There shall be two circuit judges in the twenty-sixth judicial circuit.

"(22) There shall be two circuit judges in the twenty-seventh judicial circuit.

"(23) There shall be two three circuit judges in the twenty-eighth judicial circuit.

"(24) There shall be two circuit judges in the twenty-ninth judicial circuit.

"(25) There shall be two circuit judges in the thirtieth judicial circuit.

"(26) There shall be two circuit judges in the thirty-first judicial circuit.

"(27) There shall be two circuit judges in the thirty-second judicial circuit.

"(28) There shall be two circuit judges in the thirty-third judicial circuit.

"(29) There shall be two circuit judges in the thirty-seventh judicial circuit.

"(30) There shall be two circuit judges in the thirty-eighth judicial circuit."

Section 6. There is hereby appropriated the sum of \$141,822 to the Unified Judicial System to fund the additional circuit judgeship in the Eleventh Judicial Circuit for the fiscal year beginning October 1, 1984.

Section 7. There is hereby appropriated the sum of \$141,822 to the Unified Judicial System to fund the additional circuit judgeship in the Thirteenth Judicial Circuit for the fiscal year beginning October 1, 1984.

Section 8. There is hereby appropriated the sum of \$141,822 to the Unified Judicial System to fund the additional circuit judgeship in the Fifteenth Judicial Circuit for the fiscal year beginning October 1, 1984.

Section 9. There is hereby appropriated the sum of \$141,822 to the Unified Judicial System to fund the additional circuit judgeship in the Twenty-Eighth Judicial Circuit for the fiscal year beginning October 1, 1984.

Section 10. There is hereby appropriated the sum of \$120,408 to the Unified Judicial System to fund the additional judgeship numbered 23 in the 10th Judicial Circuit for the fiscal year beginning October 1, 1984.

Section 11. There is hereby appropriated the sum of \$120,408 to the Unified Judicial System to fund the additional judgeship numbered 21 in the 10th Judicial Circuit for the fiscal year beginning October 1, 1984.

Section 12. There is hereby appropriated the sum of \$120,408 to the Unified Judicial System to fund the additional judgeship numbered 22 in the 10th Judicial Circuit for the fiscal year beginning October 1, 1984.

Section 13. There is hereby appropriated the sum of \$120,408 to the Unified Judicial System to fund the additional judgeship numbered 24 in the 10th Judicial Circuit for the fiscal year beginning October 1, 1984.

Section 14. There is hereby appropriated the sum of \$89,128 to the Unified Judicial System to fund the additional district judgeship in Russell County for the fiscal year beginning October 1, 1984.

Section 15. Acts 82-546 and 82-676 are hereby expressly repealed. Provided, however, nothing contained herein shall be construed as repealing the provisions of Section 12-17-24.1, Code of Alabama 1975, as said section appears in the 1983 cumulative supplement to Volume 11, Code of Alabama 1975.

Section 16. All laws or parts of laws which conflict with this act are hereby repealed.

Section 17. The provisions of this act are severable. If any portion of this act shall be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining portions of this act. Section 18. This act shall become effective on October 1, 1984.

#### SUBSTITUTE TABLED

On motion of Rep. Campbell, the substitute reported by the Standing Committee on Ways and Means to the bill, H. 668, was tabled.

Yeas 63; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Crow, Davis, Dutton, Gaston, Goodwin, Grouby, Hall, Hammett, Hettinger, Holley, Holmes, Hooper, Johnson (Roy), Kennedy, McDowell, McKee, McMillan, Martin, Mathis, Mitchell, Moore, Nicholson, Onderdonk, Penry, Rains, Rice, Richardson, Rogers, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Venable, White (F), White (G), White (L) and Zoghby.

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#### SUBSTITUTE OFFERED

Rep. Campbell offered the following substitute to the bill, H. 668:

#### A BILL TO BE ENTITLED AN ACT

To provide for one additional circuit judgeship each for the 11th, 12th, 13th, 15th and 28th judicial circuits of Alabama; to provide for four additional circuit judgeships for the 10th judicial circuit; to provide for one additional district judgeship for Russell County; to prescribe the jurisdiction, powers, duties, responsibilities and compensation of such judges; to increase the number of circuit judges in each of these judicial circuits by amending Section 12-17-20, Code of Alabama 1975; to provide for the designation of

these additional judgeships to particular divisions of the respective circuit courts; to provide for the initial appointment by the Governor of judges to fill these positions beginning October 1, 1984; to provide for the subsequent election of judges to fill these positions; to provide an appropriation to the Unified Judicial System to fund said judgeships; to repeal Acts 82-546 and 82-676; and, to provide an effective date.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created one additional circuit judgeship for each of the 11th, 12th, 13th, 15th and 28th judicial circuits. There is hereby created four (4) additional circuit judgeships for the 10th judicial circuit. The existing judgeships of said circuits shall continue to be designated in their present manner and the additional judgeships shall be appropriately numbered. There is hereby created one additional district judgeship for Russell County.

Section 2. The judges of said additional circuit and district judgeships shall have and exercise all of the jurisdiction, powers, rights and authority, and possess all of the qualifications, perform all of the duties and be subject to all of the pains, obligations and penalties that other circuit and district judges may exercise, perform or be subject to. Provided, the additional circuit judgeship provided for the 15th judicial circuit shall be designated to the family court division of said circuit court. The additional circuit judgeship provided for the 11th judicial circuit may be designated to a family court division by the presiding circuit judge pursuant to Section 12-17-24.1, Code of Alabama 1975. Of the four additional judgeships created herein for the 10th Judicial Circuit, the judgeship receiving the twenty-third (23rd) numerical designation shall serve the Birmingham domestic relations division, and the judgeships receiving the twenty-first (21st), twenty-second (22nd) and twenty-fourth (24th) numerical designations shall serve the Birmingham civil division.

Section 3. The additional circuit and district judges provided in this act shall receive the same salary and supplements, payable in the same manner, as the other circuit and district judges of their respective judicial circuit or district.

Section 4. The additional circuit and district judgeships created herein shall be filled by appointment by the Governor, pursuant to the appropriate provisions of the Constitution, said appointees to serve an initial term beginning on or after October 1, 1984, and lasting until the first Monday after the second Tuesday in January following the next general election held after they have completed one year in office. At such general election the additional judgeships provided herein shall be filled for a full term of office beginning at the end of the appointed terms.

Section 5. Section 12-17-20, Code of Alabama 1975, is hereby amended to read as follows:

“§ 12-17-20.

“(a) Except as otherwise provided in this section, each judicial circuit of the state shall have one resident circuit judge.

“(b) In the following judicial circuits, there shall be the number of resident circuit judges listed below:

“(1) There shall be two circuit judges in the first judicial circuit. The judge occupying judgeship No. 1 shall be the presiding judge.



- “(2) There shall be two circuit judges in the fourth judicial circuit.
- “(3) There shall be three circuit judges in the fifth judicial circuit.
- “(4) There shall be five circuit judges in the sixth judicial circuit.
- “(5) There shall be four circuit judges in the seventh judicial circuit.
- “(6) There shall be three circuit judges in the eighth judicial circuit.
- “(7) There shall be two circuit judges in the ninth judicial circuit.
- “(8) There shall be 20 24 circuit judges in the tenth judicial circuit.
- “(9) There shall be two three circuit judges in the eleventh judicial circuit.
- “(10) There shall be two three circuit judges in the twelfth judicial circuit.
- “(11) There shall be nine ten circuit judges in the thirteenth judicial circuit.
- “(12) There shall be three circuit judges in the fourteenth judicial circuit.
- “(13) There shall be ~~six~~ seven circuit judges in the fifteenth judicial circuit. At least two judges shall be assigned to the criminal division of said circuit, and one or more judges shall be assigned to the civil division, in the discretion of the presiding judge.
- “(14) There shall be four circuit judges in the sixteenth judicial circuit.
- “(15) There shall be three circuit judges in the eighteenth judicial circuit.
- “(16) There shall be two circuit judges in the nineteenth judicial circuit.
- “(17) There shall be three circuit judges in the twentieth judicial circuit.
- “(18) There shall be two circuit judges in the twenty-second judicial circuit.
- “(19) There shall be six circuit judges in the twenty-third judicial circuit.
- “(20) There shall be two circuit judges in the twenty-fifth judicial circuit.
- “(21) There shall be two circuit judges in the twenty-sixth judicial circuit.
- “(22) There shall be two circuit judges in the twenty-seventh judicial circuit.
- “(23) There shall be two ~~two~~ three circuit judges in the twenty-eighth judicial circuit.
- “(24) There shall be two circuit judges in the twenty-ninth judicial circuit.
- “(25) There shall be two circuit judges in the thirtieth judicial circuit.

“(26) There shall be two circuit judges in the thirty-first judicial circuit.

“(27) There shall be two circuit judges in the thirty-second judicial circuit.

“(28) There shall be two circuit judges in the thirty-third judicial circuit.

“(29) There shall be two circuit judges in the thirty-seventh judicial circuit.

“(30) There shall be two circuit judges in the thirty-eighth judicial circuit.”

Section 6. There is hereby appropriated from the general fund the sum of \$141,822 to the Unified Judicial System to fund an additional judgeship for the Eleventh Judicial Circuit for the fiscal year beginning October 1, 1984. If the initial term of a judge to fill said judgeship begins after October 1, 1984, but before October 1, 1985, the allotments of this appropriation to the Unified Judicial System shall be made as follows: An amount of \$15,582 shall, upon said appointment, be immediately allotted for start-up costs. The remaining allotments shall be based on a percentage of the remaining appropriation so as to fully fund said judgeship for the remainder of the 1984-85 fiscal year, said percentage to be derived by dividing the total days remaining in fiscal year 1984-85 by the number of days in fiscal year 1984-85.

Section 7. There is hereby appropriated from the general fund the sum of \$141,822 to the Unified Judicial System to fund an additional judgeship for the Twelfth Judicial Circuit for the fiscal year beginning October 1, 1984. If the initial term of a judge to fill said judgeship begins after October 1, 1984, but before October 1, 1985, the allotments of this appropriation to the Unified Judicial System shall be made as follows: An amount of \$15,582 shall, upon said appointment, be immediately allotted for start-up costs. The remaining allotments shall be based on a percentage of the remaining appropriation so as to fully fund said judgeship for the remainder of the 1984-85 fiscal year, said percentage to be derived by dividing the total days remaining in fiscal year 1984-85 by the number of days in fiscal year 1984-85.

Section 8. There is hereby appropriated from the general fund the sum of \$141,822 to the Unified Judicial System to fund an additional judgeship for the Thirteenth judicial circuit for the fiscal year beginning October 1, 1984. If the initial term of a judge to fill said judgeship begins after October 1, 1984, but before October 1, 1985, the allotments of this appropriation to the Unified Judicial System shall be made as follows: An amount of \$15,582 shall, upon said appointment, be immediately allotted for start-up costs. The remaining allotments shall be based on a percentage of the remaining appropriation so as to fully fund said judgeship for the remainder of the 1984-85 year, said percentage to be derived by dividing the total days remaining in fiscal year 1984-85 by the number of days in fiscal year 1984-85.

Section 9. There is hereby appropriated from the general fund the sum of \$141,822 to the Unified Judicial System to fund an additional judgeship for the Fifteenth Judicial Circuit for the fiscal year beginning October 1, 1984. If the initial term of a judge to fill said judgeship begins after October 1, 1984, but before October 1, 1985, the allotments of this appropri-

ation to the Unified Judicial System shall be made as follows: An amount of \$15,582 shall, upon said appointment, be immediately allotted for start-up costs. The remaining allotments shall be based on a percentage of the remaining appropriation so as to fully fund said judgeship for the remainder of the 1984-85 fiscal year, said percentage to be derived by dividing the total days remaining in fiscal year 1984-85 by the number of days in fiscal year 1984-85.

Section 10. There is hereby appropriated from the general fund the sum of \$141,822 to the Unified Judicial System to fund an additional judgeship for the Twenty-Eighth Judicial Circuit for the fiscal year beginning October 1, 1984. If the initial term of a judge to fill said judgeship begins after October 1, 1984, but before October 1, 1985, the allotments of this appropriation to the Unified Judicial System shall be made as follows: An amount of \$15,582 shall, upon said appointment, be immediately allotted for start-up costs. The remaining allotments shall be based on a percentage of the remaining appropriation so as to fully fund said judgeship for the remainder of the 1984-85 year, said percentage to be derived by dividing the total days remaining in fiscal year 1984-85 by the number of days in fiscal year 1984-85.

Section 11. There is hereby appropriated from the general fund the sum of \$120,408 to the Unified Judicial System to fund an additional judgeship for the additional judgeship numbered 23 in the 10th Judicial Circuit for the fiscal year beginning October 1, 1984. If the initial term of a judge to fill said judgeship begins after October 1, 1984, but before October 1, 1985, the allotments of this appropriation to the Unified Judicial System shall be made as follows: An amount of \$15,582 shall, upon said appointment, be immediately allotted for start-up costs. The remaining allotments shall be based on a percentage of the remaining appropriation so as to fully fund said judgeship for the remainder of the 1984-85 fiscal year, said percentage to be derived by dividing the total days remaining in fiscal year 1984-85 by the number of days in fiscal year 1984-85.

Section 12. There is hereby appropriated from the general fund the sum of \$120,408 to the Unified Judicial System to fund an additional judgeship numbered 21 in the 10th Judicial Circuit for the fiscal year beginning October 1, 1984. If the initial term of a judge to fill said judgeship begins after October 1, 1984, but before October 1, 1985, the allotments of this appropriation to the Unified Judicial System shall be made as follows: An amount of \$15,582 shall, upon said appointment, be immediately allotted for start-up costs. The remaining allotments shall be based on a percentage of the remaining appropriation so as to fully fund said judgeship for the remainder of the 1984-85 fiscal year, said percentage to be derived by dividing the total days remaining in fiscal year 1984-85 by the number of days in fiscal year 1984-85.

Section 13. There is hereby appropriated from the general fund the sum of \$120,408 to the Unified Judicial System to fund an additional judgeship numbered 22 in the 10th Judicial Circuit for the fiscal year beginning October 1, 1984. If the initial term of a judge to fill said judgeship begins after October 1, 1984, but before October 1, 1985, the allotments of this appropriation to the Unified Judicial System shall be made as follows: An amount of \$15,582 shall, upon said appointment, be immediately allotted for start-up costs. The remaining allotments shall be based on a percentage of the remaining appropriation so as to fully fund said judgeship for the remainder of the 1984-85 fiscal year, said percentage to be derived by divid-

ing the total days remaining in fiscal year 1984-85 by the number of days in fiscal year 1984-85.

Section 14. There is hereby appropriated from the general fund the sum of \$120,408 to the Unified Judicial System to fund the additional judgeship numbered 24 in the 10th Judicial Circuit for the fiscal year beginning October 1, 1984. If the initial term of a judge to fill said judgeship begins after October 1, 1984, but before October 1, 1985, the allotments of this appropriation to the Unified Judicial System shall be made as follows: An amount of \$15,582 shall, upon said appointment, be immediately allotted for start-up costs. The remaining allotments shall be based on a percentage of the remaining appropriation so as to fully fund said judgeship for the remainder of the 1984-85 year, said percentage to be derived by dividing the total days remaining in fiscal year 1984-85 by the number of days in fiscal year 1984-85.

Section 15. There is hereby appropriated from the general fund the sum of \$89,128 to the Unified Judicial System to fund the additional district judgeship in Russell County for the fiscal year beginning October 1, 1984. If the initial term of a judge to fill said judgeship begins after October 1, 1984, but before October 1, 1985, the allotments of this appropriation to the Unified Judicial System shall be made as follows: An amount of \$15,582 shall, upon said appointment, be immediately allotted for start-up costs. The remaining allotments shall be based on a percentage of the remaining appropriation so as to fully fund said judgeship for the remainder of the 1984-85 fiscal year, said percentage to be derived by dividing the total days remaining in fiscal year 1984-85 by the number of days in fiscal year 1984-85.

Section 16. Acts 82-546 and 82-676 are hereby expressly repealed. Provided, however, nothing contained herein shall be construed as repealing the provisions of Section 12-17-24.1, Code of Alabama 1975, as said section appears in the 1983 cumulative supplement to Volume 11, Code of Alabama 1975.

Section 17. All laws or parts of laws which conflict with this act are hereby repealed.

Section 18. The provisions of this act are severable. If any portion of this act shall be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining portions of this act.

Section 19. This act shall become effective on October 1, 1984.

#### SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Biddle, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Crow, Dutton, Escott, Goodwin, Grouby, Hall, Hammett, Hettinger, Holley, Holmes, Horn, Johnson (Roy), Kennedy, Kvalheim, Laird, McDowell, McKee, McMillan, Martin, Mathis, Mitchell, Moore, Nicholson, Onderdonk, Penry, Pratt, Preuitt, Rains, Rice, Richardson,

Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (L) and Zoghby.

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And the bill:

H. 668. To provide for one additional circuit judgeship each for the 11th, 12th, 13th, 15th and 28th judicial circuits of Alabama; to provide for four additional circuit judgeships for the 10th judicial circuit; to provide for one additional district judgeship for Russell County; to prescribe the jurisdiction, powers, duties, responsibilities and compensation of such judges; to increase the number of circuit judges in each of these judicial circuits by amending Section 12-17-20, Code of Alabama 1975; to provide for the designation of these additional judgeships to particular divisions of the respective circuit courts; to provide for the initial appointment by the Governor of judges to fill these positions beginning October 1, 1984; to provide for the subsequent election of judges to fill these positions; to provide an appropriation to the Unified Judicial System to fund said judgeships; to repeal Acts 82-546 and 82-676; and, to provide an effective date.

As thus amended, was read a third time at length and passed, and ordered engrossed.

Yeas 60; Nays 8.

Yeas:

Mr. Speaker, Albright, Bachus, Biddle, Blakeney, Boles, Bowling, Box, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Campbell, Carothers, Clark (D), Clark (J), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Goodwin, Hall, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (Roy), Kennedy, Kvalheim, Laird, McDowell, McMillan, Martin, Mathis, Mitchell, Moore, Nicholson, Onderdonk, Penry, Perdue, Pratt, Richardson, Rogers, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Warren, White (F), White (L) and Zoghby.

—60

Nays:

Reps.: Butler, Carter, Grayson, Junkins, Rice, Sasser, Smith and White (G).

#### CO-SPONSOR ADDED

Rep. Drake was added as co-sponsor to the bill, H. 668.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Parker, the rules were suspended in order to take up out of order the bill, H. 268.

And the bill:

H. 268. To provide that any member of the teachers' retirement system or the employees' retirement system of Alabama who shall have attained the service requirements for surviving spouse benefits may nominate such person as he may desire to receive any benefits payable on account of his death prior to his date of retirement.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 3.

*Yeas:*

Mr. Speaker, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, McDowell, McKee, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Pratt, Rains, Reed, Rice, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Warren, White (F), White (L) and Zoghby.

—78

*Nays:* Reps.: Adams, Laird and White (G).

—3

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Starkey, the rules were suspended in order to take up out of order the bill, H. 595.

And the bill:

H. 595. Relating to exemptions from the payment of state, county and municipal ad valorem taxes, so as to exempt the Presbyterian Apartments of Birmingham, Inc., the Presbyterian Homes of Decatur, Inc., the Shoals Presbyterian Apartments, Inc., the Presbyterian Apartments in Northport, Alabama, and the East Alabama Services for the Elderly, Inc., a nonprofit corporation in Lee County, Alabama, or any predecessor organization or entity, from the payment of such state, county and municipal taxes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

*Yeas* 59; *Nays* 0.

*Yeas:*

Mr. Speaker, Adams, Biddle, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (John), Butler, Carter, Clark (D), Clark (W), Coleman, Cosby, Dutton, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Hettinger, Hooper, Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McKee, Martin, Mathis, Mitchell, Newman, Nicholson, Onderdonk, Parker, Perdue, Pratt, Rains, Reed, Rice, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Turnham, Venable, White (F), White (G), White (L) and Zoghby.

—59

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Payne, the rules were suspended in order to take up out of order the bill, H. 763.

And the bill:

H. 763. Relating to sales representatives; requiring written contracts between sales representatives and principals when commissions are involved; requiring the principal to furnish the representative with a signed copy of the contract; providing for the payment of commissions upon termination of certain agreements; providing for civil damages; providing an effective date.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Coleman, Cosby, Crow, Davis, Dutton, Escott, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harvey, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McKee, Martin, Mathis, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Pratt, Reed, Rice, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Trammell, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—71

#### CO-SPONSORS ADDED

The following were added as co-sponsors to the bill, H. 763:

Mr. Speaker, Albright, Bachus, Beers, Biddle, Blakeney, Boles, Bowling, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Butler, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Flowers, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harvey, Hettinger, Hooper, Horn, Johnson (Roy), Kvalheim, Laird, Lauderdale, McNair, Martin, Mathis, Mitchell, Newman, Nicholson, Onderdonk, Perdue, Pratt, Reed, Rice, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Harper, the rules were suspended in order to take up out of order the bill, H. 432.

And the bill:

H. 432. To amend section 9-12-82, Code of Alabama 1975, relating to commercial versus noncommercial collection of oysters.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harvey, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Lauderdale, McKee, Martin, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Parker, Perdue, Pratt, Reed, Rice, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—74

## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Carter, the rules were suspended in order to take up out of order the bill, H. 198.

And the bill:

H. 198. To amend Section 9-11-257, Code of Alabama 1975, as last amended, relating to hunting within 100 yards of roads, highways, or railroads without permission from an adjacent landowner, so as to prohibit any person, except a duly authorized law enforcement officer acting in the line of duty or person otherwise authorized by law, to hunt or discharge any firearm from, upon, or across any public road, public highway, or railroad, or their rights-of-way, logging railroads excepted; and to further prohibit any person to hunt within 100 yards of a public road, public highway, or railroad, or their rights-of-way, logging railroads excepted, with rifle or shotgun using slug or shot larger than standard number four in size, and to provide penalties for the violation thereof.

Was taken up.

## SUBSTITUTE OFFERED

Rep. Carter offered the following substitute to the bill, H. 198:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 9-11-257, Code of Alabama 1975, as last amended, relating to hunting within 100 yards of roads, highways, or railroads without permission from an adjacent landowner, so as to prohibit any person, except a duly authorized law enforcement officer acting in the line of duty or person otherwise authorized by law, to hunt or discharge any firearm from, upon, or across any public road, public highway, or railroad, or their rights-of-way, logging railroads excepted; and to further prohibit any person to hunt within 100 yards of a public road, public highway, or railroad, or their rights-of-way, logging railroads excepted, with rifle or shotgun using slug or shot larger than standard number four in size, and to provide penalties for violation thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9-11-257, Code of Alabama 1975, as last amended, is hereby amended to read as follows:

“§ 9-11-257.

Any person, except a duly authorized law enforcement officer acting in the line of duty or person otherwise authorized by law, who hunts within a distance of 100 yards of or discharges any firearm from, upon, or across any public road, public highway, or railroad, or their rights-of-way, logging railroads excepted, in this state or who explodes any firearms while hunting within such proximity of a road, highway or railroad where such person does not have permission from an adjacent landowner shall be guilty of a misdemeanor and, upon conviction, shall be punished for the first offense by a fine of not less than \$250.00, and shall be punished for the second and each subsequent offense by a fine of not less than \$500.00 and shall have all hunting license privileges revoked for one (1) year from the date of conviction.”



Section 2. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are hereby expressly repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, McNair, Martin, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Pratt, Preuitt, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—82

And the bill, H. 198, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Coleman, Cosby, Crow, Davis, Dutton, Escott, Flowers, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Hooper, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, McNair, Martin, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Preuitt, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—85

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Penry, the rules were suspended in order to take up out of order the bill, H. 120.

And the bill:

H. 120. To appropriate to the State Board of Chiropractic Examiners from its separate fund in the General Fund of the State Treasury \$10,000 for the purpose of the general operation of that Board for the fiscal year ending September 30, 1984 in addition to any and all other appropriations

heretofore or hereafter made to the Board of Chiropractic Examiners; and to provide for an effective date.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carothers, Clark (D), Coleman, Cosby, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Lauderdale, McKee, McMillan, Martin, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Pratt, Preuitt, Reed, Rice, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—78

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. White (L), the rules were suspended in order to take up out of order the bill, H. 570.

And the bill:

H. 570. To amend Sections 34-23-30, 34-23-32, 34-23-50, and 34-23-52, Code of Alabama 1975, which provide license fees established by the board of pharmacy, so as to provide further for said fees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Bachus, Beers, Black, Blakeney, Boles, Bowling, Box, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carothers, Clark (D), Clark (J), Coleman, Cosby, Crow, Davis, Dutton, Escott, Flowers, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Lauderdale, McKee, McMillan, McNair, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Pratt, Preuitt, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—78

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Horn, the rules were suspended in order to take up out of order the bill, H. 782.

And the bill:

H. 782. Providing for purging the lists of registered voters; requiring and prescribing the procedure for the reidentification of certain registered voters; providing for the appointment of deputy registrars to aid in the

reidentification and registration of electors; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 1.

Yeas:

Reps.: Adams, Albright, Bachus, Biddle, Black, Blake, Blakeney, Bowling, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Campbell, Carothers, Clark (D), Clark (J), Coleman, Cosby, Crow, Davis, Dutton, Escott, Flowers, Ford, Gaston, Goodwin, Gray, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, McMillan, McNair, Martin, Mathis, Melton, Nicholson, Onderdonk, Perdue, Pratt, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Tanner, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—65

Nay: Rep. Mitchell.

—1

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 118. To provide for graduated penalties for commercial shrimp trawling in closed waters of \$400.00 to \$600.00 for the first conviction, \$600.00 to \$900.00 for the second conviction and \$900.00 to \$1,500.00 for the third conviction during any two consecutive years. In addition, trawl or trawls used during each violation may be confiscated and upon conviction become the property of the department of conservation and natural resources.

JIMMY CLARK,  
Chairman.

And the bill, H. 118 as engrossed, was ordered sent to the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 575. To provide a "State Black Archives, Research Center and Museum" at Alabama Agricultural and Mechanical University; creating a repository of source materials on Afro-American history and culture and providing authority to receive available funds.

JIMMY CLARK,  
Chairman.

And the bill, H. 575 as engrossed, was ordered sent to the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 901. To make provision for the financing and acquisition, construction, equipment and improvement from time to time of docks facilities in the state and to finance such acquisition, construction, equipment and improvement by the issuance of revenue bonds of the Alabama State Docks Department when the Department, with the approval of the governor, shall determine that the issuance of such bonds is necessary for payment of the costs of acquiring, constructing, equipping and improving docks facilities operated or to be operated by the said Department; to authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time its revenue bonds in such aggregate principal amount as said Department, with the approval of the Governor, may deem advisable for such purposes; to provide that certain bonds issued by the Industrial Development Board of the City of Mobile, Alabama, certain bonds issued by the State, and bonds at any time issued by Alabama State Docks Department or any of them, and at the time outstanding, and the interest thereon may be refunded through the issuance by the Department of refunding bonds; to provide that proceeds of the bonds issued under this Act may be used to purchase property owned by the Industrial Development Board of the City of Mobile, Alabama, and leased to Alabama State Docks Department and to prepay said Department's lease obligations to said Board; to provide that the Department shall determine the manner, terms and conditions of the sale or sales of the bonds authorized to be issued under this Act, and to make provisions respecting such sale or sales and the application of the proceeds from the sale or sales thereof; to provide for the method of execution of said bonds and other details pertaining thereto; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely out of the revenues of the Department pledged in this Act; to provide that the bonds authorized to be issued under this Act and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the State and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to provide for the defeasance of said bonds; to authorize the Department to continue to collect all charges and other fees presently imposed and collected by the Department; to pledge funds necessary to pay the principal of, premium, if any, and interest on said bonds; to authorize the Department to pledge for payment of the said principal of, premium, if any, and interest on said bonds the moneys pledged in this Act for that purpose; to preserve outstanding appropriations, pledges and covenants made by the State or the Department; to authorize the Department to covenant to maintain its charges and other fees; to authorize the establishment of a special debt service account to be held by the State Treasurer and used to pay debt service on bonds to be issued under this Act out of moneys paid into such account by the Department; to permit reserve funds for the benefit of outstanding bonds to be used by the Department to provide additions to docks facilities; to provide that if any portion of this Act is

held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

JIMMY CLARK,  
Chairman.

And the bill, H. 901 as engrossed, was ordered sent to the Senate.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Campbell, the rules were suspended in order to take up out of order the bill, H. 895.

And the bill:

H. 895. To amend Section 11-46-23, Code of Alabama, 1975, relating to adjusting election ward lines, so as to provide for certain adjustments made to comply with the Voting Rights Act of 1965.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (J), Coleman, Cosby, Crow, Davis, Dutton, Escott, Flowers, Gaston, Goodwin, Gray, Grayson, Hall, Hammett, Harper, Hettinger, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, McMillan, Mathis, Melton, Mikell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Pratt, Preuitt, Reed, Rice, Richardson, Rogers, Sasser, Spratt, Starkey, Starr, Tanner, Trammell, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Smith, the rules were suspended in order to take up out of order the bill, H. 375.

And the bill:

H. 375. To amend Code of Alabama 1975, §§ 13A-12-190 through 13A-12-197, relating to child pornography, in order to further define and prohibit child pornography and to further provide for the trial of cases involving it; to specify the cases these amendments apply to; to provide that the provisions of this act are severable; and to provide an effective date.

Was taken up.

#### S. 258 SUBSTITUTED FOR H. 375

On motion of Rep. Smith, the bill, S. 258, was substituted for the bill, H. 375.

And the bill:

S. 258. To amend Code of Alabama 1975, §§ 13A-12-190 through 13A-12-197, relating to child pornography, in order to further define and prohibit child pornography and to further provide for the trial of cases involv-

ing it; to specify the cases these amendments apply to; to provide that the provisions of this act are severable; and to provide an effective date.

Was read a third time at length and passed.

Yeas 81; Nays 0.

*Yeas:*

Reps.: Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Carothers, Clark (D), Clark (J), Coleman, Cosby, Crow, Davis, Dutton, Escott, Flowers, Ford, Gaston, Goodwin, Gray, Hall, Hammett, Harper, Harvey, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Perdue, Poole, Pratt, Preuitt, Reed, Rice, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—81

#### H. 375 INDEFINITELY POSTPONED

On motion of Rep. Smith, the bill, H. 375, was indefinitely postponed.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Butler, the rules were suspended in order to take up out of order the bill, H. 402.

And the bill:

H. 402. To authorize the State Board of Health to designate the services rendered by the State and Local Health Departments for which a reasonable fee may be charged. The State Board of Health is further required to set a maximum fee for each service. The local board of health may set fees for services, not to exceed the maximum set by the State Board of Health. The local board of health may charge and collect such fees. No citizen shall be deprived of any service because that person is indigent.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

*Yeas:*

Reps.: Adams, Albright, Black, Blake, Blakeney, Bowling, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Flowers, Ford, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McMillan, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Pratt, Preuitt, Reed, Rice, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Venable, White (F), White (L) and Zoghby.

—72

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Pratt, the rules were suspended in order to take up out of order the bill, H. 108.

And the bill:

H. 108. To prohibit persons without a proper decal from parking a motor vehicle in certain handicapped parking places and providing criminal penalties for violating the provisions of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Flowers, Ford, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, McNair, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Preuitt, Reed, Rice, Rogers, Sasser, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—86

CO-SPONSORS ADDED

All members of the House of Representatives were added as co-sponsors to the bill, H. 108.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Buskey (John), the rules were suspended in order to take up out of order the bill, H. 659.

And the bill:

H. 659. To provide for the crime of library theft; to authorize, under certain circumstances, library employees or agents to detain suspected offenders if such detention is based on probable cause; to provide criminal and civil immunity for such library personnel for detentions and resulting arrests authorized under this act; to authorize arrest for the offense by law enforcement officers, without a warrant and upon probable cause; to provide a misdemeanor penalty for the offense which shall be cumulative to existing theft penalties of this state; and to require public and conspicuous display of the provisions of this act in libraries and other institutions covered by this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Biddle, Black, Blake, Blakeney, Boles,

Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, McNair, Marietta, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Pratt, Reed, Rice, Rogers, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—79

## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Preuitt, the rules were suspended in order to take up out of order the bill, H. 590.

And the bill:

H. 590. To amend Section 15-22-2 of the Code of Alabama 1975 which relates to the contributions by parolees and probationers towards the cost of supervision and rehabilitation so as to increase the required contribution amount that must be made by parolees and probationers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Flowers, Ford, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, McNair, Marietta, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Pratt, Preuitt, Reed, Rice, Rogers, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—84

## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Turner, the rules were suspended in order to take up out of order the bill, H. 39.

And the bill:

H. 39. Relating to home health agencies in Alabama; providing for licensing of home health agencies; empowering the state board of health to grant and revoke such licenses; establishing an advisory board to assist the state board of health in carrying out the provisions of this act; and prescribing criminal penalties for violating certain provisions of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.



Yeas:

Mr. Speaker, Albright, Bachus, Biddle, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Flowers, Gaston, Goodwin, Gray, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, McMillan, McNair, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Parker, Perdue, Pratt, Preuitt, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Coleman, the rules were suspended in order to take up out of order the bill, H. 261.

And the bill:

H. 261. (With Substitute): To provide an additional or alternative remedy to the Reciprocal State Enforcement of Duty to Support law, Code of Alabama 1975, §§ 30-4-80 through 30-4-98, for the benefit of any person owed the duty of support where said duty arises pursuant to a foreign support order or decree as defined in this Act.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

### A BILL TO BE ENTITLED AN ACT

To provide an additional or alternative remedy to the Reciprocal State Enforcement of Duty to Support law, Code of Alabama 1975, §§ 30-4-80 through 30-4-98, for the benefit of any person owed the duty of support where said duty arises pursuant to a foreign support order or decree as defined in this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Purpose of Act. The purpose of this Act is to provide an additional or alternative remedy to any other remedy provided by law for the enforcement of a duty of support where said duty arises pursuant to a foreign support order as defined in this Act.

Section 2. Definitions. As used in this Act, the following terms shall have the meanings respectively ascribed to them by this section:

(a) "State." Such term includes any state or political subdivision thereof, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any foreign jurisdiction in which this or a similar reciprocal law has been enacted.

(b) "Foreign Support Order." Any judgment, decree or order of support in favor of an obligee whether temporary or final, or subject to modification, revocation, or remission, regardless of the kind of action or proceed-

ing in which it is entered, which was not rendered in the State of Alabama but for which ratification is sought in this State.

(c) "Court." A circuit or district court of this State in which a support order of a rendering state is ratified.

(d) "Rendering State." The state in which a support order is rendered or issued.

(e) "Obligor." Any person owing a duty of support or against whom a proceeding for the enforcement of duty of support or ratification of a support order is commenced.

(f) "Obligee." A person including a state or political subdivision to whom a duty of support is owed or a person including a state or political subdivision that has commenced a proceeding for enforcement of an alleged duty of support or for ratification of a support order. It is immaterial if the person to whom a duty of support is owed is a recipient of public assistance.

(g) "Support." Child support and spousal support.

(h) "Ratification." The adoption and confirmation by a court of this state of a foreign support order.

Section 3. Ratification. The obligee may petition for ratification of a support order in a court of this State in the manner, with the effect, and for the purposes herein provided.

Section 4. Official to Represent Obligee. If this State is acting either as a rendering or a ratifying state, the prosecuting attorney, upon the request of the court or the Department of Pensions and Security, may represent the obligee in proceedings under this section. If the prosecuting attorney neglects or refuses to represent the obligee, the Department of Pensions and Security may undertake to provide legal representation for said obligee. If the prosecuting attorney or the Department of Pensions and Security does not provide legal representation to the obligee, the obligee may obtain his own attorney.

Section 5. Filing Requirements. An obligee seeking to ratify and enforce a foreign support order in a court of this State shall file with the court the following documents:

(a) A petition seeking ratification and enforcement of the foreign support order and, where applicable, seeking payment of any past due support that may have accrued under the foreign support order;

(b) Three (3) certified copies of the original support order with all modifications thereof;

(c) A copy of any official payment record as may be maintained in the rendering state which would support any claim of past due support owed by the obligor; and

(d) A sworn affidavit of the obligee showing the post office address of the obligee, the last known place of residence and post office address of the obligor, the amount of support remaining unpaid, and a list of any other states or localities in which the support order is registered or ratified.

Section 6. Ratification; Notice; Enforcement Procedure.

(a) Upon receipt of the documents specified in Section 5 above and payment of the appropriate filing fee as prescribed by law, the clerk of the court shall docket the case and forthwith issue to the obligor a copy of the

petition and accompanying documents in accordance with Rule 4 and/or Rule 4.1 of the Alabama Rules of Civil Procedure at the address given in the obligee's affidavit.

(b) Upon service of the petition on the obligor, said obligor shall be entitled to file any objections, denials, or pleadings contesting ratification and enforcement of said foreign support order within thirty (30) days from the date of service.

(c) Upon filing of said objections or other pleadings to vacate ratification, the court shall set for a hearing the issues set out in the obligee's petition and the obligor's answer. If the obligor shows that an appeal from the foreign support order is pending in the rendering state or the time for said appeal has not expired or that a stay of execution has been granted by said rendering state, the court shall deny the obligee's petition. Otherwise, the court shall ratify the foreign support order.

(d) Upon ratification by the court of the foreign support order the order shall have the same effect and be subject to the same procedures, defenses, and proceedings for reopening, modifying, vacating, or staying as a support order of this state and may be enforced and satisfied in like manner. It is intended that presently owing and/or past due support obligations under foreign support orders may be enforced at the same proceeding as that provided for the ratification of the foreign support order.

(e) In the event that the court ratifies the foreign support order and determines that support payments are past due, the court shall issue a judgment for a sum certain in the amount of the past due payments due the obligee. Said judgment shall have the same effect and be subject to the same procedures as any judgment entered by any court of this state.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Flowers, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, McNair, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Preuitt, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Venable, Warren, White (F), White (L) and Zoghby.

And the bill, H. 261, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, McNair, Marietta, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Preuit, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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#### CO-SPONSORS ADDED

The following were added as co-sponsors to the bill, H. 261:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bugg, Burke, Butler, Carothers, Carter, Clark (J), Coleman, Cosby, Crow, Davis, Dutton, Escott, Flowers, Gaston, Gray, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McNair, Melton, Mitchell, Newman, Nicholson, Onderdonk, Parker, Perdue, Preuit, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Thomas, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Butler, the rules were suspended in order to take up out of order the bill, H. 521.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Butler, the rules were suspended in order to take up out of order the bill, H. 640.

And the bill:

H. 640. To amend Section 11-46-69 of the Code of Alabama 1975, relating to procedure for contesting certain municipal elections, so as to provide further for such procedure by allowing a municipal governing body to provide by resolution for a recount in such contested elections.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Coleman, Cosby, Crow, Davis, Dutton, Gaston, Goodwin, Gray, Grayson, Grouby,

Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, Marietta, Mathis, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Venable, Warren, White (F), White (L) and Zoghby.

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#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Coleman, the rules were suspended in order to take up out of order the bill, H. 486.

And the bill:

H. 486. To amend Sections 34-27-2, 34-27-31, 34-27-50, 34-27-51, 34-27-60 and 34-27-66 of the Code of Alabama 1975 which regulate real estate and timesharing brokers, salesmen and transactions, so as to provide further therefor.

Was taken up.

#### S. 362 SUBSTITUTED FOR H. 486

On motion of Rep. Coleman, the bill, S. 362, was substituted for the bill, H. 486.

And the bill:

S. 362. To amend Sections 34-27-2, 34-27-11, 34-27-31, 34-27-50, 34-27-51, 34-27-60 and 34-27-66 of the Code of Alabama 1975 which regulate real estate and timesharing brokers, salesmen and transactions, so as to provide further therefor and to provide further for penalties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, McNair, Marietta, Mathis, Melton, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Parker, Perdue, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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#### H. 486 INDEFINITELY POSTPONED

On motion of Rep. Coleman, the bill, H. 486, was indefinitely postponed.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 266. To amend Section 1-3-8 of the Code of Alabama 1975, relating to observance of state holidays, so as to provide further for such holidays.

McDOWELL LEE,  
Secretary.

## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Starkey, the rules were suspended in order to take up out of order the bill, H. 11.

And the bill:

H. 11. (With Substitute): To amend Section 11-43-40, Code of Alabama, 1975, relating to the composition of city councils in cities having a population of 12,000 or more so as to provide for a procedure to establish a council of not more than seven aldermen to be elected from districts and a council president to be elected at large; to provide a waiver of the requirement that the composition of a city council in a city having a population of 12,000 or more must be changed at a time more than six months prior to any general municipal election in the event the voters of such city have voted to change the form of government to the mayor-council form of government at an election held at a time within nine months of the date of the next ensuing general municipal election.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Government, said committee substitute being as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 11-43-40, Code of Alabama, 1975, relating to the composition of city councils in cities having a population of 12,000 or more so as to provide for a procedure to establish a council of not less than four nor more than seven aldermen to be elected from districts and a council president to be elected at large; to provide a waiver of the requirement that the composition of a city council in a city having a population of 12,000 or more must be changed at a time more than six months prior to any general municipal election in the event the voters of such city have voted to change the form of government to the mayor-council form of government at an election held at a time within nine months of the date of the next ensuing general municipal election.

Be it Enacted by The Legislature of Alabama:

Section 1. Section 11-43-40, Code of Alabama, 1975, is amended to read as follows:

“§ 11-43-40. Composition of city councils; election, terms of office, etc., of president of council and aldermen; right of president to vote.

“(a) In cities having a population of 12,000 or more, the following officers shall be elected at each general municipal election, who shall compose the city council for such cities and who shall hold office for four years and until their successors are elected and qualified, and who shall exercise the legislative functions of city government and any other powers and duties which are or may be vested by law in the city council or its members:

“(1) In cities having seven wards or less, a president of the city council and two aldermen from each ward, to be elected by the qualified voters of the several wards voting separately in every ward; except, that in such cities having a population of less than 20,000, the two aldermen from each ward shall be elected by the electors of the city at large.

“(2) In cities having more than seven wards, one alderman from each ward, and a sufficient number of aldermen from the city at large to make the total number of aldermen 14 exclusive of the president of the council; provided, that in cities having a population of 50,000 or more, the city council may create not more than 20 wards.

“(3) In cities having a population of more than 30,000 according to the most recent federal decennial census or according to any census of such city made pursuant to sections 11-47-90 through 11-47-95, and having only five wards, a president of the council and five aldermen, if the city council governing body shall so provide by ordinance or resolution adopted by two-thirds vote of the council governing body at least six months prior to a general municipal election. If such an ordinance or resolution is adopted, one alderman shall reside in each of the respective wards of the city, the president and all of the aldermen shall be elected by the voters of the city at large, and the president shall vote only in case of a tie.

“(4) Notwithstanding the provisions of subdivisions (1), (2) and (3) of the section, the city council governing body of any city having a population of 12,000 or more may by ordinance or resolution, if adopted by two-thirds vote of the city council governing body more than six months prior to any general municipal election, provide that the city council of said city shall consist of the five aldermen to be elected from the city at large.

“(5) Notwithstanding the provisions of subdivisions (1), (2), (3) and (4) of this section, the governing body of any city having a population of 12,000 or more may by ordinance or resolution, if adopted by two-thirds vote of the governing body more than six months prior to any general municipal election, provide that the city council of said city shall consist of not less than four nor more than seven aldermen to be elected from districts (wards) and a council president to be elected at large.

“(b) Unless provided otherwise in this section, the president of the council shall have the right to vote on all questions the same as any other member of the council.

“(c) In the event that a city having a population of 12,000 or more has voted to change its form of government to the mayor-council form of government and such election was held at a time within nine months of the date of the next ensuing general municipal election, then in such event, the requirement that changes in the composition and organization of the council must be made more than six months prior to any general municipal election is waived and such requirement need not be met and such city may adopt any of the forms of council set out in this section.”

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 72; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McMillan, Marietta, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

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#### AMENDMENT OFFERED

Rep. Cosby offered the following amendment to the bill, H. 11 as amended:

Amend Sub. H. B. 11 in the Synopsis on page 1, line 11, by striking the word "seven" and substituting in lieu thereof the word "ten", and

Further amend Sub. H. B. 11 in the Synopsis on page 1, line 12, by adding between the words "from" and "districts", the word "single-member", and

Further amend Sub. H. B. 11 in the Synopsis on page 1, line 13, by adding after the word "large" the following: "also, to exempt cities exercising this option in 1984 from all legal time requirements relating to the establishment or adjustment of ward or district lines," and

Further amend Sub. H. B. 11, in the Title on page 1, line 28, by striking the word "seven" and substituting in lieu thereof the word "ten", and

Further amend Sub. H. B. 11, in the Title on page 1, line 29, by adding the word "single-member" immediately before the word "districts", and

Further amend Sub. H. B. 11 in the Title, page 1, line 29, by adding after the word "large" the following: "also, to exempt cities exercising this option in 1984 from all legal time requirements relating to the establishment or adjustment of ward or district lines," and

Further amend Sub. H. B. 11, on page 3, line 16, by striking the word "seven" and substituting in lieu thereof the word "ten", and

Further amend Sub. H. B. 11, on page 3, line 16, by adding between the words "from" and "districts" the word "single-member", and

Further amend Sub. H. B. 11, on page 3, line 17, after the word large the following: "any city exercising this option in 1984 shall be exempt from all legal time requirements relating to the establishment or adjustment of ward or district lines."

#### AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 78; Nays 0.



*Yeas:*

Mr. Speaker, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holmes, Hooper, Horn, Kennedy, Kvalheim, Lauderdale, Lindsey, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—78

And the bill:

H. 11. To amend Section 11-43-40, Code of Alabama, 1975, relating to the composition of city councils in cities having a population of 12,000 or more so as to provide for a procedure to establish a council of not less than four nor more than ten aldermen to be elected from single-member districts and a council president to be elected at large; also, to exempt cities exercising this option in 1984 from all legal time requirements relating to the establishment or adjustment of ward or district lines, to provide a waiver of the requirement that the composition of a city council in a city having a population of 12,000 or more must be changed at a time more than six months prior to any general municipal election in the event the voters of such city have voted to change the form of government to the mayor-council form of government at an election held at a time within nine months of the date of the next ensuing general municipal election.

As thus amended, was read a third time at length and passed, and ordered engrossed.

Yes 77; Nays 0.

*Yeas:*

Reps.: Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Harper, Harvey, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, McNair, Martin, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Thomas, Turner, Warren, White (F), White (G), White (L) and Zoghby.

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#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Rice, the rules were suspended in order to take up out of order the bill, H. 494.

And the bill:

H. 494. To establish and create a licensing board to be known as the Alabama board of electrical contractors for the purpose of testing and licensing electrical contractors; to provide for the appointment of such members and of members of an appeal board; to authorize such board to carry

out the purpose of this act; to appropriate funds for such board and to prescribe penalty for violation of this act.

Was taken up.

#### AMENDMENT OFFERED

Rep. Rice offered the following amendment to the bill, H. 494:

On page 6, line 22, delete the word "or" and at the end of line 24 change the period to a semi-colon and insert the following:

"or to any person or firm who installs, sells, leases, or maintains any form of electrical protection equipment designed to protect a commercial, residential or government structure, its contents or occupants and/or its surrounding premises for purpose of deterring or detecting burglaries, fires and/or any other unlawful or unwanted intrusion or occurrence."

#### AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Hooper, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, McNair, Martin, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Rice, Rogers, Sasser, Smith, Spratt, Starkey, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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#### AMENDMENT OFFERED

Rep. Rice offered the following amendment #2 to the bill, H. 494 as amended:

On page 6, amend section 13(b) to read as follows:

"(b) to the installation, construction, maintenance, or repair of telephone, signal, or information management systems by or for a public utility when such work pertains to the services furnished by such utility or by a person, firm, or corporation primarily engaged in the telecommunications or information systems industries;"

#### AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Gaston, Goodwin, Gray,

Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Hooper, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McNair, Martin, Melton, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Parker, Perdue, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Thomas, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

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AMENDMENT OFFERED

Rep. Rice offered the following amendment #3 to the bill, H. 494 as amended:

Amend H. 494, page 2, line 35, after the word "contractor", by inserting the following:

in his own domicile

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 68; Nays 1.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Biddle, Black, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Burke, Buskey (James), Butler, Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Hooper, Johnson (R.G.), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McNair, Martin, Mathis, Melton, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Perdue, Preuitt, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Thomas, Trammell, Turner, Venable, Warren, White (L) and Zoghby.

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*Nay:* Rep. Bryant.

—1

And the bill, H. 494, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 5.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carothers, Clark (D), Clark (J), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Grouby, Hall, Harper, Hettinger, Holley, Hooper, Horn, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McNair, Mathis, Melton, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Payne, Perdue, Preuitt, Reed, Rice, Richardson, Spratt, Starkey, Starr, Thomas, Turner, Warren, White (G), White (L) and Zoghby.

—67

*Nays:*

*Reps.:* Carter, Johnson (R.G.), Parker, Sasser and White (F).

—5

## CO-SPONSOR ADDED

Rep. Beers was added as co-sponsor to the bill, H. 494.

## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Kennedy, the rules were suspended in order to take up out of order the bill, H. 46.

And the bill:

H. 46. To authorize the Chancellor of Postsecondary Education to establish multipurpose programs at designated two-year institutions to provide the necessary training, counseling, and services to enable displaced homemakers to experience economic security vital to productive lives; and to provide for the appointment of a director to administer the statewide network of multipurpose programs.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Harper, Harvey, Hettinger, Holley, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McDowell, McMillan, McNair, Martin, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Parker, Payne, Penry, Perdue, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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## CO-SPONSORS ADDED

The following were added as co-sponsors to the bill, H. 46:

Reps.: Albright, Bachus, Beers, Biddle, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carter, Clark (J), Clark (W), Coleman, Davis, Dutton, Escott, Ford, Hall, Harper, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Laird, Lauderdale, Lindsey, McDowell, McNair, Martin, Mathis, Melton, Mitchell, Newman, Nicholson, Payne, Perdue, Pratt, Rains, Reed, Rice, Rogers, Sasser, Spratt, Thomas, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Richardson, the rules were suspended in order to take up out of order the bill, H. 204.

And the bill:

H. 204. To amend Section 6-8-40, Code of Alabama, 1975, so as to delete the requirement that clerks of the several circuit courts and registers must subscribe for, take and file in their offices copies of newspapers.

Was taken up.

S. 146 SUBSTITUTED FOR H. 204

On motion of Rep. Richardson, the bill, S. 146, was substituted for the bill, H. 204.

And the bill:

S. 146. To amend Section 6-8-40, Code of Alabama, 1975, so as to delete the requirement that clerks of the several circuit courts and registers must subscribe for, take and file in their offices copies of newspapers.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Reps.: Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, McNair, Mathis, Melton, Mikell, Mitchell, Moore, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Thomas, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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H. 204 INDEFINITELY POSTPONED

On motion of Rep. Richardson, the bill, H. 204, was indefinitely postponed.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Browder, the rules were suspended in order to take up out of order the bill, H. 440.

And the bill:

H. 440. To provide a Crime Victims Compensation Commission, procedures relating to their appointment, terms, compensation, powers and duties; to provide provision for office, support, staff and secretarial services of such commission; to provide for awards for compensation, for economic loss under certain circumstances to qualified applicants; to provide for the limiting of awards under certain circumstances; to provide restrictions for Commission authority as to claimant and possible collateral source benefits; to provide for medical examination requirements including limited waiver of physician-patient privilege; to provide award without requirement of prosecution or conviction of any individual; to provide procedures for subrogation rights; to provide for special types of awards procedures; to provide for annual reports and their distribution; to provide further for audits of the Commission; to provide further for surety bond of members, agents and employees; to provide further for the Alabama Crime Victims Compensation Fund and payments thereto by certain persons; to provide further for the taxing or assessing of additional court costs, assessments or penalties; to provide further for the exemption of compensation from state or municipal taxation and certain writs of garnishment or attachment; to provide further

for discretionary contributions by county and municipal governments; to provide further for certain persons to be ineligible for compensation; to provide further for criminal penalties to be attached to certain acts by members, agents, or employees of the Commission; to provide further for other criminal penalties in regard to claimants and other persons who perform certain acts or omissions; to provide further for other criminal penalties for persons who perform certain acts in regard to monies or securities of the Commission held in trust or otherwise; and to provide further for other criminal penalties in regard to false-claims.

Was taken up.

### SUBSTITUTE OFFERED

Rep. Browder offered the following substitute to the bill, H. 440:

#### A BILL TO BE ENTITLED AN ACT

To provide a Crime Victims Compensation Commission, procedures relating to their appointment, terms, compensation, powers and duties; to provide provision for office, support, staff and secretarial services of such commission; to provide for awards for compensation, for economic loss under certain circumstances to qualified applicants; to provide for the limiting of awards under certain circumstances; to provide restrictions for Commission authority as to claimant and possible collateral source benefits; to provide for medical examination requirements including limited waiver of physician-patient privilege; to provide award without requirement of prosecution or conviction of any individual; to provide procedures for subrogation rights; to provide for special types of awards procedures; to provide for annual reports and their distribution; to provide further for audits of the Commission; to provide further for surety bond of members, agents and employees; to provide further for the Alabama Crime Victims Compensation Fund and payments thereto by certain persons; to provide further for the taxing or assessing of additional court costs, assessments or penalties; to provide further for the exemption of compensation from state or municipal taxation and certain writs of garnishment or attachment; to provide further for certain persons to be ineligible for compensation; to provide further for criminal penalties to be attached to certain acts by members, agents, or employees of the Commission; to provide further for other criminal penalties in regard to claimants and other persons who perform certain acts or omissions; to provide further for other criminal penalties for persons who perform certain acts in regard to monies or securities of the Commission held in trust or otherwise; and to provide further for other criminal penalties in regard to false claims.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall be known and may be cited as the "Alabama Crime Victims Compensation Act."

Section 2. The Legislature hereby finds, determines and declares that victims of violent crime are often reduced to bereft and destitute circumstances as a result of the criminal acts perpetrated against them, that the financial or economic resources of such victims and their dependents are in many instances distressed or depleted as a result of injuries inflicted upon them by violent criminals.

That the general social and economic welfare of such victims and their

dependents is and ought to be intimately affected with the public interest, that the deplorable plight of these unfortunate citizens should not go unnoticed by our institutions and agencies of Government.

The Legislature hereby further finds, determines and declares that it is to the benefit of all that victims of violence and their dependents be assisted financially and socially whenever possible.

To this end the Legislature intends to provide a means whereby victims of violent crime and their dependents may be provided compensation in the amount of actual expenses incurred as a direct result of criminal acts of other persons.

The provisions of this Act are to be construed so as to accomplish this purpose and to promote the same which is hereby declared to be the public policy of this state.

Section 3. As used in this Act the following words shall include, but are not limited to the following meanings unless the context clearly requires a different meaning:

(a) "Commission" means the Alabama Crime Victims Compensation Commission as created by Section 4 of this Act;

(b) "Criminally injurious conduct" means:

(1) an act occurring or attempted within the geographical boundaries of this state which results in personal injury or death to a victim for which punishment by fine, imprisonment or death may be imposed; or

(2) an act occurring or attempted outside the geographical boundaries of this state in another state of the United States of America which is punishable by fine, imprisonment or death and which results in personal injury or death to a citizen of this state; provided however, such citizen at the time such act was committed had a permanent place of residence within the geographical boundaries of this state, and in addition thereto:

(A) had a permanent place of employment located within the geographical boundaries of this state; or

(B) was a member of the regular Armed Forces of the United States of America; or the United States Coast Guard; or was a full-time member of the Alabama National Guard, Alabama Air National Guard, U. S. Army Reserve, U. S. Naval Reserve, U. S. Air Force Reserve; or

(C) was retired and receiving Social Security or other retirement income; or

(D) was 60 years of age or older; or

(E) was temporarily in another state of the United States of America for the purpose of receiving medical treatment; or

(F) was temporarily in another state of the United States of America for the purpose of performing employment-related duties required by an employer located within the geographical boundaries of this state as an express condition of employment or employee benefits; or

(G) was temporarily in another state of the United States of America for the purpose of receiving occupational, vocational or other job-related training or instruction required by an employer located within the geographical boundaries of this state as an express condition of employment or employee benefits; or

(H) was a full-time student at an academic institution, college or university located in another state of the United States of America; or

(I) had not departed the geographical boundaries of this state for a period exceeding 30 days or with the intention of becoming a citizen of another state or establishing a permanent place of residence in another state.

(3) the term "criminally injurious conduct" shall NOT mean: an act committed outside the geographical boundaries of this state upon a person who was not at the time such act was committed a citizen of the State of Alabama or an act committed outside the geographical boundaries of this state upon a person who at the time such act was committed had departed the geographical boundaries of this state for the purpose of becoming a citizen of another state or for the purpose of establishing a permanent place of residence in another state, and

(c) "victim" means a person who suffered personal injury or death as a result of criminally injurious conduct.

(d) "Dependent" means a natural person wholly or partially dependent upon the victim for care or support, and includes a child of the victim born after the death of the victim where the death occurred as a result of criminally injurious conduct;

(e) "Claimant" means any of the following persons applying for compensation under this act;

(1) a victim;

(2) a dependent of a deceased victim, if such victim died as a result of criminally injurious conduct; or

(3) a person authorized to act on behalf of a victim or a dependent of a deceased victim if such victim died as a result of criminally injurious conduct.

(f) "Allowance expense" means charges incurred for needed products, services and accommodations, including, but not limited to, medical care, rehabilitation, rehabilitative occupational rehabilitation, rehabilitative occupational training and other remedial treatment and care. It also includes a total charge not in excess of Two Thousand Dollars (\$2,000.00) for expenses related to funeral, cremation or burial;

(g) "Work loss" means loss of income from work the victim would have performed if such person had not been injured or died, reduced by any income from substitute work actually performed by the victim or by income the victim would have earned in available appropriate substitute work which he or she was capable of performing but unreasonably failed to undertake; and

(h) "Replacement services loss" means expenses reasonably incurred in obtaining ordinary and necessary services in lieu of those the victim would have performed, not for income, but for the benefit of self or family, if the victim had not been injured or died;

(i) "Economic loss of a dependent" means a loss after the death of the victim of contributions of things of economic value to the dependent, not including services which would have been received from the victim if he or she had not suffered the fatal injury, less expenses of the dependent avoided by reason of death of the victim;

(j) "Replacement services loss of dependent" means the loss reasona-



bly incurred by dependents after death of the victim in obtaining ordinary and necessary services in lieu of those the deceased victim would have performed for their benefit had the deceased victim not suffered the fatal injury, less expenses of the dependent avoided by reason of death of the victim and not subtracted in calculating the economic loss of the dependent;

(k) "Economic loss" means monetary detriment consisting only of allowable expense, work loss, replacement services loss and, if injury causes death, economic loss and replacement services loss of a dependent, but shall not include noneconomic loss or noneconomic detriment. "Noneconomic loss or detriment" means pain, suffering, inconvenience, physical impairment and non-pecuniary damage;

(1) "Collateral source" means: source of income, financial or other benefits or advantages for economic loss other than the commission which the claimant has received or is entitled to receive or is readily available to the claimant, from any one or more of the following:

- (1) the offender;
- (2) the government of the United States or any agency thereof, in the form of benefits, such as social security, medicare and medicaid, a state or any of its political subdivisions or an instrumentality or two or more states, unless the law providing for the benefits or advantages makes them excessive or secondary to benefits under this Act;
- (3) any temporary nonoccupational disability insurance;
- (4) workman's compensation;
- (5) wage continuation programs of any employer;
- (6) proceeds of a contract of insurance payable to the claimant for loss which the victim sustained because of the criminally injurious conduct; or
- (7) a contract providing prepaid hospital and other health care services or benefits for disability.

Section 4. (a) There is hereby created the Alabama Crime Victims Compensation Commission, which shall be composed of three (3) citizens of the State of Alabama, who shall be appointed by the Governor with the advice and consent of the Senate, for terms of four years each or until their successors are appointed and qualified. Provided however, initial appointments shall be as follows: one member shall be appointed for two (2) years, one member shall be appointed for three (3) years and one member shall be appointed for four (4) years. All appointments to fill vacancies shall be for the duration of the unexpired term and subsequent appointments shall be for four (4) year terms. (b) At least one member shall be a law enforcement officer with a minimum of ten years experience in or with a law enforcement agency which has among its primary duties and responsibilities the investigation of violent crimes and the apprehension or arrest of the perpetrators thereof. (c) At least one member shall be a victim of a crime of violence who suffered serious personal injury as a result thereof, or a member of such victim's immediate family or a member of a deceased victim's immediate family if such deceased victim died as a result of a crime of violence, or an officer of a non-profit, charitable crime victims organization established pursuant to the laws of Alabama. (d) Each year the Commission shall elect a chairman from its membership. (e) The Commission may appoint an executive director who shall serve at the pleasure of the Commission and shall be paid a salary in an amount to be determined by the Commission. (f) The Commission shall have its principal place of business in the county wherein

the state capitol is located. (g) The Commission shall hold at its principal place of business regular monthly public meetings on the second Tuesday of each month and other meetings at such times and places as its members may elect. (h) Any two (2) members of the Commission shall constitute a quorum for purposes of transacting the business of the commission and two (2) votes in favor shall be necessary for a decision by the Commission at any meeting of the Commission. (i) From time to time the Commission shall establish rules and regulations for the administration of its duties and responsibilities pursuant to this Act. (j) The chairman of the Commission shall keep a true record of all of the proceedings of the meetings of the Commission. At the call of any member the vote on any pending question shall be taken by ayes and nays, and the same shall be entered in such record, the record of the proceedings of the Commission shall be open to any member of the Commission and to the public at all times and a copy of such record, certified by the chairman, shall be competent evidence in all courts.

Provided however, the Commission shall decline to disclose the names and addresses of victims or claimants who have applied for compensation pursuant to the provisions of this Act or the facts or circumstances of the criminally injurious conduct perpetrated against them when such disclosure in the opinion of the Commission would jeopardize or compromise an investigation by a law enforcement agency or a grand jury into criminally injurious conduct or in any way jeopardize or compromise a prosecution for criminally injurious conduct. (k) All members and employees of the commission handling money or exercising authority over any property shall, before entering the discharge of their duties, give bond with a surety company authorized to do business in the State of Alabama, as surety, payable to the Commission in an amount or amounts sufficient to protect the Commission against any loss with respect to the funds, money or property handled, conditioned for the faithful discharge of their duties and responsibilities and further conditioned upon their faithfully accounting for all monies, funds or properties coming into their possession in the capacity of their employment. (l) The attorney general or the district attorney of the county wherein the state capitol is located shall, upon written request by the Commission represent the Commission in all litigation to which the Commission is a party or in which the Commission has an interest. The attorney general shall serve as a legal advisor to the Commission. (m) All Commission members shall be paid \$30.00 per day and mileage for attendance of Commission meetings. Mileage and per diem shall be the same as allowed state employees when a Commission member is traveling on official business of the Commission and shall be paid from the Alabama Crime Victims Compensation Fund.

Section 5. (a) The Commission shall have all the powers and privileges of a corporation and all of its business shall be transacted in the name of the Commission. In addition to any other powers and duties specified elsewhere in this Act, the Commission shall have the power to:

- (1) Regulate its own procedures except as otherwise provided in this act;
- (2) Define any term not defined in this act;
- (3) Prescribe forms necessary to carry out the purposes of this act;
- (4) Request access to any reports of investigations or other data necessary to assist the Commission in making a determination of eligibility for compensation under the provisions of this act;

(5) Take judicial notice of general, technical and scientific facts within their specialized knowledge; and

(6) Publicize the availability of compensation and information regarding the filing of claims therefor;

(7) Collect all monies provided by this Act to be collected by the Commission;

(8) Provide for and maintain all necessary administrative facilities and personnel;

(9) Provide for payment of all administrative salaries, fees and expenses;

(10) Cause its monies to be invested and its investments sold or exchanged and the proceeds and income collected;

(11) Determine who is a victim or dependent;

(12) Pass upon all applications for compensation or other benefits provided for in this article;

(13) Adopt such rules and regulations as may be necessary or desirable to expedite the administration of the affairs of the Commission not inconsistent with the provisions of this Act;

(14) Provide descriptive literature respecting the Commission and its duties;

(15) Pay all compensation or other benefits that may be determined to be due under this Act and under the rules and regulations of the Commission;

(16) Employ such agents, attorneys, actuaries and other specialized personnel as shall be necessary or desirable to enable the Commission to carry on its functions in a proper and sound manner;

(17) Receive by gift, grant, devise or bequest any monies or properties of any nature or description;

(18) Accept and administer loans, grants and donations from the federal government, its agencies and all other sources, public and private, for carrying out any of its functions;

(19) Develop a comprehensive analysis of the problems regarding victims of crime within the criminal justice system or systems of this State and formulate model programs, plans or methods for lessening the physical, mental or financial burdens placed on innocent crime victims by the operation of the criminal justice system both on the state and local level;

(20) Identify laws, rules or regulations proposed or adopted by any agency or institution of this State or any political subdivision thereof which have or will have a significant adverse or beneficial impact upon crime victims and to advocate the adoption, repeal or modification thereof in the interest of innocent victims of crime;

(21) Collect, develop and maintain statistical information, records and reports as the commission may determine relevant or necessary to carry out its powers, duties or functions pursuant to the provisions of this Act.

(22) Award loans or grants of money, equipment or personnel to public or private non-profit corporations or associations, agencies of the State of Alabama or Political subdivisions thereof, or to State, County or Municipal

law enforcement, prosecutorial or judicial agencies upon such terms and conditions as the commission may deem proper for the purpose of developing, enhancing or establishing bona fide model crime victims service programs which emphasize the collection of restitution from criminals as an integral part of the criminal justice process; provided, however, such loans or grants shall only be awarded when sufficient funds are available in excess of reasonably anticipated or projected claims for compensation.

(23) Carry out any powers expressly granted elsewhere in this act to the Commission; and

(24) All other powers necessary for the proper administration of the provisions of this Act.

Section 6. The Commission shall publish annually a report showing the fiscal transactions of the Commission for the proceeding year, the amount of the accumulated cash and securities of the Commission and a balance sheet showing the financial condition of the Commission by means of an actuarial evaluation of the assets and liabilities of the Commission.

Section 7. The Director of the Department of Examiners of Public Accounts shall at least once a year and at such other times as such Director shall deem appropriate cause to be performed a detailed audit of the financial affairs of the Commission and shall promptly notify the appropriate Grand Jury as to any possible violations of law.

Section 8. (a) The Commission may award compensation for economic loss arising from criminally injurious conduct if satisfied by a preponderance of the evidence that the requirements for compensation have been met. (b) The Commission shall hear and determine all matters relating to claims for compensation, and shall have the power to reinvestigate or reopen claims without regard to statutes of limitation. (c) The Commission shall have the power to subpoena witnesses, compel their attendance, require the production of records and other evidence, administer oaths or affirmations, conduct hearings and receive relevant evidence.

Section 9. The Commission shall not require any claimant to seek or accept any collateral source contribution, unless the claimant was receiving or was entitled to receive such benefits prior to the occurrence giving rise to the claim under the provisions of this act; provided, however, no applicant shall be denied compensation solely because such applicant is entitled to income from a collateral source.

Section 10. (a) Every party to a claim shall be afforded, an opportunity to appear and be heard and to offer evidence and argument on any issue relevant to the claim, and to examine witnesses and offer evidence in reply to any matter of an evidentiary nature in the record relevant to the claim. (b) In a contested case, all parties shall be afforded an opportunity for hearing after reasonable notice pursuant to regulations promulgated by the Commission. A record of the proceedings of the hearing in a contested case shall be made and shall be transcribed upon request of any party who shall pay transcription costs unless otherwise ordered by the Commission. (c) The Commission may, without a hearing, settle a claim by stipulation, agreed settlement, consent order or default.

Section 11. (a) Any person filing a claim under the provisions of this act shall be deemed to have waived any physician-patient privilege as to communications or records relevant to an issue of the physical, mental or emotional conditions of the claimant. (b) If the mental, physical or emotional condition of a claimant is material to a claim, the Commission upon

physical examination may order an autopsy of a deceased victim. The order shall specify the time, place, manner, conditions and scope of the examination or autopsy and the person by whom it is to be made. The order shall also require the person to file with the commission a detailed written report of the examination or autopsy. The report shall set out the findings of the person making the report, including results of all tests made, diagnoses, prognoses and other conclusions and reports of earlier examinations of the same conditions. (c) The Commission, upon request, shall furnish the victim a copy of such report. If the victim is deceased, the Commission, on request, shall furnish a copy of the report to the claimant. (d) The Commission may require the claimant to supply any additional medical or psychological reports available relating to the injury or death for which compensation is claimed.

Section 12. (a) Compensation shall not be awarded:

(1) Unless the claim has been filed with the Commission within one (1) year after the injury or death upon which the claim is based;

(2) To a claimant who was the offender, or an accomplice of the offender, or who encouraged or in any way participated in the criminally injurious conduct;

(3) If the award would unjustly benefit the offender or accomplice of the offender; or

(4) Unless the criminally injurious conduct resulting in injury or death was reported to a law enforcement officer within seventy-two (72) hours after its occurrence or the Commission finds there was good cause for the failure to report within that time.

(b) Compensation otherwise payable to a claimant may be diminished to the extent:

(1) That the economic loss is recouped from collateral sources;

(2) Of the degree of responsibility for the cause of the injury or death attributable to the victim as determined by the Commission.

(c) The Commission, upon finding that the claimant or victim has not fully cooperated with appropriate law enforcement agencies, may deny, withdraw or reduce an award of compensation.

(d) The Commission, on its own motion or on request of the claimant, may reconsider a decision granting or denying an award or determining its amount. An order on reconsideration of an award shall not require a refund of amounts previously paid, unless the award was obtained by fraud. The right of reconsideration does not affect the finality of a Commission decision for the purpose of judicial review.

Section 13. Except as provided elsewhere in this Act, an award may be made whether or not any person is prosecuted or convicted. Proof of conviction of a person whose acts give rise to a claim is conclusive evidence that the crime was committed, unless an application for rehearing, an appeal of the conviction or certiorari is pending, or a rehearing or new trial has been ordered. The Commission may suspend the proceedings pending disposition of criminal prosecution that has been commenced or is imminent, but may make a tentative award under Section 13 of this act.

Section 14. (a) If compensation is awarded, the state shall be subrogated to all the rights of a claimant to receive or recover from a collateral source to the extent that compensation was awarded. (b) In the event the

claimant recovers compensation, other than under the provisions of this Act, for injuries or death resulting from criminally injurious conduct, the claimant shall retain, as trustee for the Commission, so much of the recovered funds as necessary to reimburse the Alabama Crime Victims Compensation Fund to the extent that compensation was awarded to the claimant from that Fund. The funds retained in trust shall be promptly paid over to the Commission and deposited in the Alabama Crime Victims Compensation Fund. (c) If a claimant brings an action to recover damages related to the criminally injurious conduct upon which compensation is claimed or awarded, the claimant shall give the Commission written notice of the action. After receiving the notice, the Commission may join in the action as a party plaintiff to recover the compensation awarded.

Section 15. (a) Compensation for work loss, replacement services loss, dependent's economic loss and dependent's replacement service loss may not exceed Two Hundred Dollars (\$200.00) per week. (b) Compensation payable to a victim and to all other claimants sustaining economic loss because of injury to or death of that victim may not exceed Ten Thousand Dollars (\$10,000.00) in the aggregate. (c) The Commission may provide for the payment to a claimant in a lump sum or in installments. At the request of the claimant, the Commission may convert future economic loss, other than allowable expense, to a lump sum, but only upon a finding by the Commission of either of the following:

(1) That the award in a lump sum will promote the interests of the claimant; or

(2) That the present value of all future economic loss, other than allowable expense, does not exceed One Thousand Dollars (\$1,000.00).

(d) An award payable in installments for future economic loss may be made only for a period as to which the Commission can reasonably determine future economic loss. An award payable in installments for future economic loss may be modified by the Commission upon its findings that a material and substantial change of circumstances has occurred. (e) An award shall not be subject to State or Municipal taxation or to execution, attachment, or garnishment, except as the same may pertain to an obligation for the support of dependent children or as the same may pertain to a creditor which has provided products, services or accommodations, the costs of which are included in the award. (f) An assignment by the claimant to any future award under the provisions of this act is unenforceable, except:

(1) An assignment of any award for work loss to assure payment of court-ordered child support; or

(2) An assignment of any award for allowable expense to the extent that the benefits are for the cost of products, services or accommodations necessitated by the injury or death on which the claim is based and are provided or to be provided by the assignee.

Section 16. (a) There is hereby established a special fund to be known as the Alabama Crime Victims Compensation Fund. (b) The said fund shall be placed under the management or administration of the Alabama Crime Victims Compensation Commission for purposes of providing compensation or other benefits to crime victims and for purposes of implementing the provisions of this Act. (c) Such fund shall consist of all monies collected or received by the Alabama Crime Victims Compensation Commission from any source. (d) The Commission shall have such control of such funds as shall not be inconsistent with the provisions of this Act and with the laws of

Alabama. (e) All monies of the Commission shall be covered into the State Treasury or deposited in a special trust account and may be withdrawn therefrom by vouchers or check signed by the Chairman of the Commission pursuant to authorization given by the Commissioner. All investments of monies in the fund shall be either deposited with the state treasurer for safekeeping upon receipt of the state treasurer therefor or deposited with any such bank in a custodial account. The commission shall have authority to expend monies in the fund in accordance with the provisions of this Act and to invest any monies so received pending other needs therefor in any investments which are legal investments for insurance companies under the laws of the state. (f) No member of the Commission shall have any interest in any such investments or receive any commission with respect thereto. (g) It shall be the duty of the Commission to keep detailed permanent records of all expenditures and disbursements from such fund. (h) The Commission is authorized to accept and use funds available to it from all sources, such as grants, appropriations, gifts, donations and other sources for purposes of implementing the provisions of this Act. (i) The Commission may not award any monies for the six (6) months immediately following passage of this act. (j) The Commission may not award or promise to award more monies than are available in the fund. (k) The Commission shall not spend more than twenty percent (20%) of its funds for administrative costs.

Section 17. (a) In all criminal and quasi-criminal proceedings for the violation of laws of the state or municipal ordinances which are tried in any court or tribunal in this state, wherein the defendant is adjudged guilty or pleads guilty or wherein a bond is forfeited and the result of the forfeiture is a final disposition of the case or wherein any penalty is imposed, there is hereby imposed an additional cost of court in the amount of \$2.00 for each traffic infraction, \$10.00 in each such proceeding where the offense constitutes a misdemeanor and/or a violation of a municipal ordinance other than traffic infractions and \$15.00 in each such proceeding where the offense constitutes a felony; provided, however, that there shall be no additional costs imposed for violations relating to parking of vehicles.

The amount of all such costs shall be remitted by the person or authority collecting the same to the chairman of the commission on the tenth day of each month next succeeding that in which the cost is paid. It shall be the duty of the clerk or other authority collecting the said court costs to keep accurate records of the amounts due the Commission for the benefit of the fund under this section. (b) In addition to the imposition of any other costs, penalties or fines imposed pursuant to law, any person convicted or pleading guilty to a felony involving criminally injurious conduct shall be ordered to pay a victim compensation assessment of not less than Twenty-five Dollars (\$25.00), nor more than Ten Thousand Dollars (\$10,000.00), for each such felony for which such person was convicted. In imposing this penalty, the court shall consider factors such as the severity of the crime, the prior criminal record, and the ability of the defendant to pay, as well as the economic impact of the victim compensation assessment on the dependents of the defendant. Such additional assessment or penalty shall be collected by the clerk of the court imposing the same and shall be promptly paid over to the Commission.

Section 18. (a) Any person who confers, offers, or agrees to confer anything of value upon a member, agent or employee of the Alabama Crime Victims Compensation Commission with the intent that such member's or agent's or employee's vote, opinion, judgment or exercise of discretion or other action in such member's or agent's or employee's vote, opinion, judgment or exercise of discretion or other action in such member's or agent's or

employee's official capacity will thereby be influenced shall be guilty of a Class B felony. (b) Any member, agent or employee of the Alabama Crime Victims Compensation Commission who shall solicit, accept, or agree to solicit or accept anything of value upon an agreement or understanding that such member's or agent's or employee's vote, opinion, judgment or exercise of discretion or other action as such member, agent, or employee will thereby be influenced shall be guilty of a Class B felony. (c) It shall not be a defense to a prosecution under this section that the member, agent or employee sought to be influenced was not qualified to act in the desired way because of a lack of jurisdiction or for any other reason.

Section 19. (a) A member, agent or employee of the Alabama Crime Victims Compensation Commission commits the crime of failing to disclose a conflict of interest if such member, agent or employee exercises any discretionary function in connection with a Commission contract, purchase, payment or other pecuniary transaction pertaining to the Commission without advance public disclosure of a known potential conflicting interest in the transaction. (b) A "potential conflicting interest" exists, but is not limited to, when the member, agent or employee of the Commission is a director, president, general manager or similar executive officer, or owns directly or indirectly a substantial portion of any nongovernmental entity participating in the transaction. (c) Public disclosure shall mean a public announcement and written notification to the attorney general. (d) Failing to disclose a conflict of interest is a Class C felony. Section 20. (a) Any member, agent or employee of the Alabama Crime Victims Compensation Commission who shall knowingly make a false entry or falsely alter any Commission record; or who shall intentionally destroy, mutilate, conceal, remove or otherwise impair the verity or availability of any Commission record with the knowledge of a lack of authority to do so; or who shall possess a record of the Commission and refuse to deliver up such record upon proper request of a person lawfully entitled to receive the same shall be guilty of a Class C felony.

Section 21. (a) Any person who shall knowingly furnish any false information to the Alabama Crime Victims Compensation Commission or to any member, agent or employee thereof with the intent to defraud the said Commission; or with the intent to obtain an award of compensation for a person not entitled to receive the same shall be guilty of a Class C felony. (b) Any person who shall knowingly fail or omit to disclose a material fact or circumstance to the Alabama Crime Victims Compensation Commission or to any member, agent or employee thereof which is material to a claim for an award of compensation with the intent to defraud the Commission or with the intent to cause a person to obtain or receive an award of compensation to which such person is not entitled shall be guilty of a Class C felony.

Section 22. (a) Any person who shall knowingly obtain or exert any unauthorized control over any money or securities held on behalf of or in trust for the Alabama Crime Victims Compensation Commission with intent to deprive such Commission of such money or securities shall be guilty of a Class C felony. (b) Any person who shall knowingly obtain by deception any control over any money or securities held on behalf of or in trust for the Alabama Crime Victims Compensation Commission with intent to deprive such Commission of such money or securities shall be guilty of a Class C felony.

Section 23. Any person who shall perpetrate any criminally injurious conduct on the person of another or who shall be convicted of a felony after



making application to the Alabama Crime Victims Compensation Commission for compensation shall not be eligible or entitled to receive compensation pursuant to any provision of this Act.

Section 24. The provisions of this act are severable. If any portion of this act shall be declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 25. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 26. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

### SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Bowling, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Ford, Goodwin, Gray, Grouby, Hall, Harper, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Laird, Lauderdale, McDowell, McKee, McNair, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Nicholson, Onderdonk, Payne, Perdue, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Warren, White (F), White (G) and White (L).

—75

And the bill:

H. 440. To provide a Crime Victims Compensation Commission, procedures relating to their appointment, terms, compensation, powers and duties; to provide provision for office, support, staff and secretarial services of such commission; to provide for awards for compensation, for economic loss under certain circumstances to qualified applicants; to provide for the limiting of awards under certain circumstances; to provide restrictions for Commission authority as to claimant and possible collateral source benefits; to provide for medical examination requirements including limited waiver of physician-patient privilege; to provide award without requirement of prosecution or conviction of any individual; to provide procedures for subrogation rights; to provide for special types of awards procedures; to provide for annual reports and their distribution; to provide further for audits of the Commission; to provide further for surety bond of members, agents and employees; to provide further for the Alabama Crime Victims Compensation Fund and payments thereto by certain persons; to provide further for the taxing or assessing of additional court costs, assessments or penalties; to provide further for the exemption of compensation from state or municipal taxation and certain writs of garnishment or attachment; to provide further for certain persons to be ineligible for compensation; to provide further for criminal penalties to be attached to certain acts by members, agents, or employees of the Commission; to provide further for other criminal penalties in regard to claimants and other persons who perform certain acts or omissions; to provide further for other criminal penalties for persons who perform certain acts in regard to monies or securities of the Commission held

in trust or otherwise; and to provide further for other criminal penalties in regard to false claims.

As thus amended, was read a third time at length and passed, and ordered engrossed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Bowling, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Coleman, Cosby, Crow, Davis, Dutton, Escott, Goodwin, Gray, Grouby, Hall, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Laird, Lauderdale, McKee, Marietta, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Payne, Perdue, Poole, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Thomas, Turner, Warren, White (F) and White (L).

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#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Holley, the rules were suspended in order to take up out of order the bill, S. 314.

And the bill:

S. 314. To provide that any appropriations made to the Public Education Employees' Health Insurance Board for the purpose of funding a uniform plan of health insurance for educational personnel shall also include an appropriation to the Public Education Employees' Health Insurance Board for partially funding insurance coverage for retired employees.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McNair, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Perdue, Poole, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Brooks, the rules were suspended in order to take up out of order the bill, H. 284.

And the bill:

H. 284. To amend Section 13A-6-69, Code of Alabama 1975, which provides for the crime of enticing a child to enter a vehicle or house for

immoral purposes, so as to provide further for said crime and to create the separate crime of child enticement.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McKee, Marietta, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Perdue, Rains, Reed, Rice, Richardson, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—84

#### CO-SPONSORS ADDED

The following were added as co-sponsors to the bill, H. 284:

Mr. Speaker, Albright, Bachus, Beers, Biddle, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (John), Butler, Carothers, Carter, Clark (D), Coleman, Dutton, Escott, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McNair, Marietta, Mathis, Melton, Mikell, Mitchell, Nicholson, Parker, Payne, Perdue, Rains, Reed, Rice, Richardson, Smith, Spratt, Starkey, Starr, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Sasser, the rules were suspended in order to take up out of order the bill, H. 289.

And the bill:

H. 289. To provide that sentencing reports used by courts in sentencing criminal defendants contain a statement as to the impact of the offense upon the victim or the victim's family; to provide further that a victim or a member of a victim's family or other representative of the victim be entitled to be heard at sentencing.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Ford, Gaston, Gray, Grouby, Hall, Hammett, Hettinger, Holley, Holmes, Hooper, Horn,

Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, Marietta, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Payne, Perdue, Pratt, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Turner, the rules were suspended in order to take up out of order the bill, H. 34.

And the bill:

H. 34. Relating to the 13th Judicial Circuit; authorizing the clerk of such circuit, in instances when ordered by the court to invest money which has been deposited with the court, to deduct, at the time of disbursement, five percent of the earned income from the invested money; and providing that the deducted amount shall be deposited in the general fund of Mobile County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McNair, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Perdue, Pratt, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Smith, the rules were suspended in order to take up out of order the bill, H. 646.

And the bill:

H. 646. To amend Section 36-27-23 of the Code of Alabama 1975, relating to the general administration and proper operation of the retirement system of Alabama, so as to increase the number of members of the board of control of such system, and to provide for the election, qualifications and terms of office of the added member.

Was taken up.

## SUBSTITUTE OFFERED

Rep. Smith offered the following substitute to the bill, H. 646:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 36-27-23, of the Code of Alabama 1975, relating to the general administration and proper operation of the retirement system of Alabama, so as to increase the number of members of the board of control of such system, and to provide for the election, qualifications and terms of office of the added member.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 36-27-23 of the Code of Alabama 1975, is hereby amended to read as follows:

§ 36-27-23.

“(a) The general administration and responsibility for the proper operation of the retirement system and for making effective the provisions of this article are hereby vested in a board of trustees which shall be known as the board of control.

“(b) The board shall consist of ten trustees as follows:

“(1) The governor, ex officio, who shall be chairman.

“(2) The state treasurer, ex officio.

“(3) The state personnel director, ex officio.

“(4) The director of finance, ex officio.

“(5) Three members of the retirement system, to be appointed by the governor, no two of whom shall be from the same department of the state government nor from any department of which an ex officio trustee is the head. The terms of office of the three members appointed by the governor shall begin immediately after they have qualified and taken the oath of office.

“(6) Two members of the state employees' retirement system who shall be elected by a majority vote of the participating full-time state employees who are members of the said system. For their original terms, one shall serve for a two-year term and one shall serve for a three-year term. Thereafter, their successors each shall serve for a four year term.

“a. During the month of July 1980, employees desiring to serve shall file with the state comptroller notice of their intent to run for the position. The comptroller shall cause to be prepared ballots for distribution to all state employees with their paychecks during the first pay period of August 1980. Each state payroll clerk within one week shall collect the executed ballots and return them to the comptrollers who shall forthwith tabulate the ballots and announce the results. A printout of the tabulation along with the ballots shall within three days be delivered by the comptroller to the secretary of state, who shall preserve the ballots and the printout for three months.

“b. At the expiration of terms of office of the respective original trustees elected under this subdivision (6), and every four years thereafter, their successors shall be elected in the same manner as provided by paragraph a. of this subdivision.

“(7) One member from the ranks of the retired state employees and

one member from the ranks of retired employees of a city, a county, or a public agency who each of whom is an active beneficiary of the system shall be elected by a majority vote of the participating retired beneficiaries of the said system. The retired state employee member shall serve for a four-year term beginning October 1, 1984, and the member who is a retired employee of a city, a county or a public agency shall serve for a three-year term, beginning October 1, 1984 provide after the expiration date of the initial terms provided in this subdivision each term shall be for a period of three years.

"The retired members shall be elected in a statewide ballot conducted by the secretary-treasurer under rules promulgated by the board of control. The board of directors of the Alabama retired state employees association shall submit no more than two nominations for each retired member position. The board of control shall determine the procedure for selecting additional candidates. Such ballots shall be conducted prior to October 1, 1984 and each applicable year thereafter in order that the trustees can take his office by that date October 1, next following such election.

"(c) If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled, except that of the trustees elected under subdivision (7) of subsection (b). In that event the vacancy for the unexpired term shall be filled by an appointment by the board of control of the employees' retirement system from a list of three retired employees furnished him by the board of directors of the Alabama retired state employees' association.

"(d) The trustees shall serve without compensation for their services as trustees, but they shall be reimbursed from the expense fund for all necessary expenses that they may incur through service on the board of control.

"(e) Each trustee shall, within 10 days after his appointment, take an oath of office that, so far as it devolves upon him, he will diligently and honestly administer the affairs of the board of control and that he will not knowingly violate or willingly permit to be violated any of the provisions of law applicable to the retirement system. Such oath shall be subscribed to by the member making it, certified by the officer before whom it is taken and immediately filed in the office of the secretary of state.

"(f) Each trustee shall be entitled to one vote in the board of control. Four votes in favor of any decision shall be necessary for a decision by the trustees at any meeting of said board.

"(g) Subject to the limitations of this article, the board of control shall, from time to time, established rules and regulations for the administration of the funds created by this article and for the transaction of its business.

"(h) The board of control, by a majority vote of all its members, shall elect a secretary-treasurer who shall serve as the chief executive officer of the retirement system. The board of control shall engage such actuarial and other special services as shall be required to transact the business of the retirement system. The compensation of all persons engaged by the board, with the exception of clerical employees who shall be employed under the provisions of the Merit System Act, and all other expenses of the board necessary for the operation of the retirement system shall be paid at such rates and in such amounts as the board shall approve.

"(i) The board of control shall keep in convenient form such data as shall be necessary for actuarial valuation of the various funds of the retirement system and for checking the experience of the system.

“(j) The board of control shall keep a record of all its proceedings which shall be open to public inspection. It shall publish annually a report showing the fiscal transactions of the retirement system for the preceding year, the amount of the accumulated cash and securities of the system and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system.

“(k) The attorney general of the state shall be the legal adviser of the board of control.

“(l) The board of control shall designate a medical board to be composed of three physicians not eligible to participate in the retirement system. If required, other physicians may be employed to report on special cases. The medical board shall arrange for and pass upon all medical examinations required under the provisions of this chapter and shall investigate all essential statements and certificates by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of control its conclusions and recommendations upon all matters referred to it.

“(m) The board of control shall designate an actuary who shall be the technical adviser of the board of control on matters regarding the operation of the funds created by the provisions of this article and shall perform such other duties as are required in connection therewith.

“(n) Immediately after the establishment of the retirement system the actuary shall make such investigation of the mortality, services and compensation experience of the members of the system as he shall recommend and the board of control shall authorize, and, on the basis of such investigation, he shall recommend for adoption by the board of control such tables and such rates as are required in subsection (o) of this section. The board of control shall adopt tables and certify rates and, as soon as practicable thereafter, the actuary shall make a valuation based on such tables and rates of the assets and liabilities of the funds created by this article.

“(o) In 1948, and at least once in each five-year period thereafter, the actuary shall make an actuarial investigation into mortality, service and compensation experience of the members and beneficiaries of the retirement system and shall make a valuation of the assets and liabilities of the funds of the system and, taking into account the results of such investigation and valuation, the board of control shall adopt for the retirement system such mortality, service and other tables as shall be deemed necessary and certify the rates on contribution payable by the state under the provisions of this article.

“(p) On the basis of such tables as the board of control shall adopt, the actuary shall make an annual valuation of the assets and liabilities of the funds of the system created by this article.”

#### SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark

(D), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Gaston, Goodwin, Gray, Grouby, Hall, Hettinger, Hooper, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Rains, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Warren, White (G), White (L) and Zoghby.

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And the bill, H. 646, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Biddle, Black, Blake, Blakeney, Bowling, Box, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Hettinger, Holmes, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Rains, Reed, Rice, Richardson, Rogers, Smith, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

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#### CO-SPONSOR ADDED

Rep. Grouby was added as co-sponsor to the bill, H. 646.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Holley, the rules were suspended in order to take up out of order the bill, H. 460.

And the bill:

H. 460. To provide that the governing body of any municipality, with a population of less than 5,000 persons, by resolution duly adopted, may abolish or create a civil service system or other personnel board; to continue all rights, interest and privileges which certain employees have in any civil service or merit system within any such municipality; to prescribe that the provisions of this act shall be construed in *pari materia* with Section 36-27-6, Code of Alabama 1975, permitting certain governing boards, including municipalities to elect to have its eligible officers and employees participate in the state retirement systems; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 3.

*Yeas:*

Mr. Speaker, Adams, Albright, Biddle, Black, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Gaston, Goodwin, Grayson, Grouby, Hall, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy,



Kvalheim, Lauderdale, Lindsey, McKee, Marietta, Mathis, Mikell, Mitchell, Moore, Onderdonk, Payne, Penry, Perdue, Preuitt, Rains, Reed, Rice, Richardson, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Warren, White (L) and Zoghby.

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*Nays:* Reps.: Bachus, Gray and White (G).

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#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Smith, the rules were suspended in order to take up out of order the bill, H. 317.

And the bill:

H. 317. To amend sections 36-21-68, 36-21-71, 36-21-74, and 36-21-76 of the Code of Alabama 1975, relating to the Alabama Peace Officers' Annuity and Benefit Fund, so as to eliminate purchasing of past service by new members of the fund; and to provide further for disability benefits and continued membership.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Bachus, Biddle, Black, Blake, Blakeney, Bowling, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Carothers, Carter, Clark (D), Coleman, Crow, Davis, Dutton, Escott, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Hooper, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Pratt, Preuitt, Rice, Sasser, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Box, the rules were suspended in order to take up out of order the bill, H. 888.

And the bill:

H. 888. (With Amendment): To amend Sections 11-54-170 and 11-54-171, Code of Alabama 1975, which authorize and make provisions for the incorporation in any Class 1, Class 2 or Class 3 municipality, of Commercial Development Authorities for the purpose of promoting trade and commerce, so as also to provide for the incorporation of such authorities in any Class 7 or Class 8 municipality.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Government, said committee amendment being as follows:

Amend House Bill 888 on Page 2, Section 1, by deleting lines 1 through 13 in their entirety and inserting in lieu thereof the following:

incorporated under the laws of this State, of

Further amend House Bill 888 on Page 2, Section 1, by deleting line 17 in its entirety and inserting in lieu thereof the following:

any

Further amend House Bill 888 on Page 2, Section 1, line 18 and line 19 by striking the following: Class 1, Class 2, and Class 3, Class 7 and Class 8 and inserting in lieu thereof the following: any

Further amend House Bill 888 on Page 3, Section 1, Subsection (11), by deleting lines 22 through 34 in their entirety and inserting in lieu thereof the following:

“(11) MUNICIPALITY. Any incorporated city of this State.

And the amendment was adopted.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Carothers, Carter, Clark (D), Coleman, Cosby, Crow, Davis, Dutton, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Hooper, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Mathis, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Preuitt, Rains, Rice, Richardson, Sasser, Smith, Starkey, Starr, Tanner, Trammell, Turner, Venable, White (F), White (G), White (L) and Zoghby.

—69

Ad the bill, H. 888, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Ford, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Hooper, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McKee, McMillan, Martin, Mathis, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Preuitt, Rains, Rice, Richardson, Sasser, Smith, Starkey, Starr, Tanner, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—74

#### CO-SPONSORS ADDED

The following were added as co-sponsors to the bill, H. 888:

Mr. Speaker, Albright, Bachus, Beers, Biddle, Blake, Blakeney, Bowling, Box, Britnell, Brooks, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carothers, Clark (D), Clark (W), Coleman, Dutton, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Hooper, Johnson (Roy), Junkins, Kennedy, Lauderdale, Lindsey, Mathis, Mitchell, Moore,

Newman, Nicholson, Onderdonk, Parker, Payne, Preuitt, Rains, Rice, Richardson, Tanner, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 179. RATIFYING THE OCTOBER 14, 1983, AGREEMENT OF MUTUAL ASSISTANCE BETWEEN THE CHINA EXTERNAL TRADE DEVELOPMENT COUNCIL OF THE REPUBLIC OF CHINA AND THE STATE OF ALABAMA OF THE UNITED STATES OF AMERICA.

Also:

S. J. R. 191. COMMENDING THE RUSSELL CORPORATION OF ALEXANDER CITY, ALABAMA.

Also:

S. J. R. 200. MOURNING THE DEATH OF MR. FREDRICK R. McCLENDON OF SHELBY COUNTY, ALABAMA.

Also:

S. J. R. 203. MOURNING THE DEATH OF MR. WALTER W. FLOWERS, JUNIOR.

Also:

S. J. R. 205. COMMENDING THE COMMITMENT AND CONTRIBUTIONS OF HOSPITALS THROUGHOUT THE STATE OF ALABAMA TOWARD SERVING THE NEEDS OF INDIGENT MATERNAL AND CHILD HEALTH CARE RECIPIENTS.

Also:

S. J. R. 206. COMMENDING THE COMMITMENT AND THE CONTRIBUTIONS OF OBSTETRICIANS THROUGHOUT THE STATE OF ALABAMA TO THE CARE OF INDIGENT OBSTETRICAL PATIENTS.

Also:

S. J. R. 210. COMMENDING MR. JOHN L. PARROTT FOR OUTSTANDING CONTRIBUTIONS TO THE ALABAMA COOPERATIVE EXTENSION SERVICE, AUBURN UNIVERSITY.

Also:

S. J. R. 211. DECLARING THE WEEK OF JUNE 3-9, 1984, "ALABAMA POULTRY WEEK"

McDOWELL LEE,  
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present,

signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Holley, the rules were suspended in order to take up out of order the bill, S. 470.

And the bill:

S. 470. To provide for the criminal offense of theft of trade secrets and trademarks and to prescribe penalty for conviction of such offense.

Was read a third time at length and passed.

Yeas 74; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Britnell, Brooks, Browder, Bryant, Burke, Buskey (John), Butler, Carothers, Carter, Clark (D), Coleman, Cosby, Crow, Davis, Dutton, Escott, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McKee, McMillan, Mathis, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Pratt, Preuitt, Rains, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—74

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Bowling, the rules were suspended in order to take up out of order the bill, S. 438.

And the bill:

S. 438. To amend Section 12-15-7 of the Code of Alabama 1975, relating to appointment of juvenile probation officers, so as to provide further for such appointments.

Was read a third time at length and passed.

Yeas 69; Nays 1.

*Yeas:*

Mr. Speaker, Albright, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Britnell, Brooks, Browder, Bryant, Burke, Buskey (John), Butler, Carothers, Clark (D), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Gray, Grayson, Hall, Harper, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, Mathis, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Tanner, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

—69

*Nay:* Rep. Bugg.

—1

MOTION TO RECONSIDER

Having voted on the prevailing side, Rep. Carothers offered the motion to reconsider the vote by which the bill, H. 39, was passed.

MOTION TO TABLE LOST

The motion offered by Rep. Turner to table the motion to reconsider offered by Rep. Carothers, was lost.

Yeas 28; Nays 39.

*Yeas:*

**Reps.:** Blake, Boles, Bowling, Box, Brakefield, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Clark (W), Crow, Gray, Harvey, Holley, Horn, Kennedy, Martin, Moore, Onderdonk, Parker, Perdue, Richardson, Spratt, Tanner, Turner, Warren and Zoghby.

—28

*Nays:*

**Reps.:** Adams, Biddle, Britnell, Brooks, Carothers, Cosby, Faulk, Flowers, Ford, Fuller, Grayson, Hettinger, Hooper, Johnson (R.G.), Johnson (Roy), Laird, Lauderdale, Lindsey, McKee, McMillan, Marietta, Mathis, Mikell, Mitchell, Nicholson, Payne, Penry, Poole, Preuitt, Rains, Rice, Rogers, Sasser, Starkey, Starr, Turnham, Venable, White (G) and White (L).

—39

MOTION TO RECONSIDER ADOPTED

The question was then on the motion offered by Rep. Carothers to reconsider the vote by which the bill, H. 39, was passed, and the motion was adopted.

Yeas 61; Nays 1.

*Yeas:*

**Reps.:** Adams, Biddle, Blake, Bowling, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Carothers, Carter, Coleman, Cosby, Crow, Faulk, Flowers, Ford, Fuller, Grayson, Harper, Hettinger, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Kennedy, Laird, Lauderdale, Lindsey, McKee, Marietta, Mathis, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Preuitt, Rains, Rice, Sasser, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—61

*Nay:* Rep. Boles.

—1

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Bugg, the rules were suspended in order to take up out of order the bill, H. 48.

And the bill:

H. 48. To amend Section 16-10-1, Code of Alabama, 1975, so as to eliminate the requirement that local school trustees must be appointed by the county board of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 9.

*Yeas:*

Reps.: Albright, Black, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Clark (D), Clark (W), Coleman, Cosby, Davis, Gaston, Goodwin, Gray, Grayson, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, Marietta, Mathis, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Pratt, Preuitt, Reed, Rice, Richardson, Rogers, Sasser, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Turnham, Venable, Warren, White (L) and Zoghby.

—67

*Nays:*

Reps.: Adams, Bachus, Carter, Dutton, Holley, Junkins, Mikell, Rains and White (G).

—9

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Boles, the rules were suspended in order to take up out of order the bill, H. 213.

And the bill:

H. 213. (With Amendment): To provide for court ordered continuing income withholding by employers as a means of child support enforcement; to provide that such order shall be included as a part of any original judgment or decree for the payment of child support; to provide that such order may be entered after notice and a hearing as a post judgment remedy for the enforcement of delinquent child support amounts in addition to enforcing continuing, prospective child support obligations; to provide for the content of orders entered pursuant to this Act; to provide that income withholding orders shall be binding upon present and successive employers; to provide for the service of orders entered pursuant to this Act upon the employer; to provide for the modification or termination of income withholding orders; to provide for the collection of certain fees for the filing of a petition for an income withholding order and for the collection of certain service fees; to provide that an income withholding order for child support shall take precedence over any other notice of garnishment; to provide that no employer may discharge or refuse to hire a person who is the subject of an income withholding order; to provide that any employer who refuses to comply with the order may be deemed to be in contempt of court; and further to specifically repeal Sections 6-6-490 through 6-6-493, Code of Alabama 1975, relating to garnishments to enforce child support.

Was taken up.

#### S. 86 SUBSTITUTED FOR H. 213

On motion of Rep. Boles, the bill, S. 86, was substituted for the bill, H. 213.

And the bill:

S. 86. (With Amendment): To provide for court ordered continuing income withholding by employers as a means of child support enforcement; to provide that such order shall be included as a part of any original judgment or decree for the payment of child support; to provide that such order may be entered after notice and a hearing as a post judgment remedy for the enforcement of delinquent child support amounts in addition to enforcing continuing, prospective child support obligations; to provide for the content of orders entered pursuant to this Act; to provide that income withholding orders shall be binding upon present and successive employers; to provide for the service of orders entered pursuant to this Act upon the employer; to provide for the modification or termination of income withholding orders; to provide for the collection of certain fees for the filing of a petition for an income withholding order and for the collection of certain service fees; to provide that an income withholding order for child support shall take precedence over any other notice of garnishment; to provide that no employer may discharge or refuse to hire a person who is the subject of an income withholding order; to provide that any employer who refuses to comply with the order may be deemed to be in contempt of court; and further to specifically repeal Sections 6-6-490 through 6-6-493, Code of Alabama 1975, relating to garnishments to enforce child support.

Was taken up.

The question was then on the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend Senate Bill 86, Section 12, page 8, beginning on line 26, after the word "income" by striking the following:

~~a one-time-fee of up to five-dollars (\$5.00)~~ and inserting in lieu thereof the following:

a fee of up to ten dollars (\$10.00) per month

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (W), Coburn, Coleman, Cosby, Davis, Escott, Faulk, Flowers, Gaston, Goodwin, Gray, Grayson, Hall, Hammett, Harper, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, Marietta, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Pratt, Rains, Rice, Richardson, Rogers, Smith, Starkey, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

—79

And the bill, S. 86, as thus amended, was read a third time at length and passed.

Yeas 81; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Davis, Dutton, Escott, Faulk, Flowers, Gaston, Goodwin, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McKee, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Pratt, Rains, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (G), White (L) and Zoghby.

—81

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Starr, the rules were suspended in order to take up out of order the bill, H. 829.

And the bill:

H. 829. To amend Sections 2-15-131 and 2-15-133, Code of Alabama 1975, relating to the Livestock Dealers' Financial Responsibility Act, so as to include catfish in the definition of livestock and to provide when payment of purchase of catfish is to be made by the dealer.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (John), Butler, Clark (D), Clark (J), Coleman, Cosby, Davis, Dutton, Faulk, Gaston, Goodwin, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, Marietta, Mikell, Mitchell, More, Newman, Nicholson, Parker, Penry, Perdue, Pratt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—77

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Holley, the rules were suspended in order to take up out of order the bill, S. 154.

And the bill:

S. 154. To provide for educational assistance benefits for members of the Alabama National Guard.

Was read a third time at length and passed.

Yeas 70; Nays 2.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Biddle, Black, Blakeney, Bowling,



Box, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Butler, Carothers, Carter, Clark (D), Clark (J), Coleman, Cosby, Crow, Davis, Dutton, Faulk, Ford, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Mathis, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Perdue, Rains, Reed, Rice, Richardson, Smith, Starkey, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (L) and Zoghby.

—70

*Nays:* Reps.: Gray and Grayson.

—2

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Tanner, the rules were suspended in order to take up out of order the bill, H. 619.

And the bill:

H. 619. To provide for "lifeline telephone service" for eligible citizens of this state and to provide for the implementation and regulation by the Alabama Public Service Commission and the Alabama Department of Pensions and Security and to provide guidelines for charges for such service.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blakeney, Boles, Bowling, Box, Britnell, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Carothers, Carter, Clark (D), Clark (J), Coleman, Cosby, Crow, Davis, Dutton, Faulk, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Laird, Lauderdale, Lindsey, McKee, McMillan, Marietta, Mathis, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Pratt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—77

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Blake, the rules were suspended in order to take up out of order the bill, H. 372.

And the bill:

H. 372. (With Amendment): To further provide for criminal procedure and to prescribe the conditions for the issuance of warrants for night time searches and seizures; and to repeal Sections 15-5-8 and 15-5-12 of the Code of Alabama 1975, and all other conflicting laws relating to the issuance of warrants.

Was taken up.

The question was then on the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend House Bill 372, Section 1, Page 1, Line 26, after the word "officer" by placing a period and striking the following:

~~otherwise-authorized-by-law-to-serve-search-warrants.~~

And the amendment was adopted.

Yeas 71; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Blakeney, Bowling, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Faulk, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Laird, Lauderdale, Lindsey, McKee, McMillan, Marietta, Mathis, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Pratt, Rains, Rice, Richardson, Rogers, Sasser, Smith, Starkey, Starr, Tanner, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—71

And the bill, H. 372, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 1.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Blake, Blakeney, Boles, Bowling, Britnell, Brooks, Browder, Bryant, Burke, Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Faulk, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Laird, Lauderdale, Lindsey, McMillan, Mathis, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Perdue, Pratt, Rains, Rice, Richardson, Sasser, Smith, Starkey, Tanner, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—66

*Nay:* Rep. Holley.

—1

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 668. To provide for one additional circuit judgeship each for the 11th, 12th, 13th, 15th and 28th judicial circuits of Alabama; to provide for four additional circuit judgeships for the 10th judicial circuit; to provide for one additional district judgeship for Russell County; to prescribe the jurisdiction, powers, duties, responsibilities and compensation of such judges; to increase the number of circuit judges in each of these judicial circuits by amending Section 12-17-20, Code of Alabama 1975; to provide for the designation of these additional judgeships to particular divisions of the respective circuit courts; to provide for the initial appointment by the Governor of judges to fill these positions beginning October 1, 1984; to provide for the

subsequent election of judges to fill these positions; to provide an appropriation to the Unified Judicial System to fund said judgeships; to repeal Acts 82-546 and 82-676; and, to provide an effective date.

JIMMY CLARK,  
Chairman.

And the bill, H. 668 as engrossed, was ordered sent to the Senate.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Thomas, the rules were suspended in order to take up out of order the bill, H. 411.

And the bill:

H. 411. To amend Section 36-29-2, Code of Alabama 1975, which creates the state employees' insurance board, so as to provide further for membership on the board.

Was taken up.

SUBSTITUTE OFFERED

Rep. Thomas offered the following substitute to the bill, H. 411:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 36-29-2, Code of Alabama 1975, which creates the state employees' insurance board, so as to provide further for membership on the board.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 36-29-2, Code of Alabama 1975, is hereby amended to read as follows:

"§ 36-29-2.

The state employees' insurance board shall consist of the members of the state personnel board, together with the director of finance, the secretary-treasurer of the employees' retirement system of Alabama and two members who are regular employees of the state and two retirees receiving benefits from the employees' retirement of Alabama. The present ex officio officers names shall constitute the membership of the board hereby created, and their successors in office, by virtue of assuming such office, shall succeed to membership on the board. The two state employee members of the board shall be elected at the regular election for officers of the Alabama state employees' association as follows:

At the expiration of the term of the existing state employee members of the board one state employee member of the board shall be elected for a two-year term and every four years thereafter, and the other state employee member of the board shall be elected for a four-year term, and every four years thereafter. Vacancies of the state employee members of the board shall be filled for the remainder of the term by special election of the Alabama state employees association. The chairman of the state personnel board shall serve as the chairman of the state employees' insurance board.

The two retiree members shall be elected at the next regular election

for officers and directors of The Alabama Retirees State Employees Association. The election shall be conducted as follows:

(a) Retired member place number 1, for a period of two years beginning November 1, 1984;

(b) Retired member place number 2, for a period of four years beginning November 1, 1984.

Thereafter each retired employee according to place number shall be elected for four year terms, according to such rules and regulations as the Association's board shall adopt to govern such elections. Any vacancy in the office of either retired position shall be filled by the Association's board.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

### SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 77; Nays 1.

Yeas:

Mr. Speaker, Adams, Albright, Biddle, Blake, Blakeney, Boles, Bowling, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James) Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Faulk, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, Marietta, Mathis, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Rains, Reed, Rice, Richardson, Rogers, Smith, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

—77

Nay: Rep. Bachus.

—1

And the bill, H. 411, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 1.

Yeas:

Mr. Speaker, Adams, Albright, Biddle, Blakeney, Boles, Bowling, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Faulk, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, Marietta, Mathis, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Perdue, Pratt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, White (G), White (L) and Zoghby.

—75

Nay: Rep. Bachus.

—1

MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Black to suspend the rules in order to take up out of order the bill, H. 693, was lost, lacking a four-fifths vote.

Yeas 30; Nays 13.

*Yeas:*

Reps.: Albright, Bachus, Black, Blakeney, Bowling, Box, Brooks, Bryant, Buskey (James), Buskey (John), Carothers, Clark (W), Davis, Dutton, Faulk, Grayson, Hall, Hettinger, Hooper, Kennedy, McDowell, Mathis, Nicholson, Pratt, Reed, Starkey, Thomas, Warren, White (F), and White (G).

—30

*Nays:*

Reps.: Bugg, Carter, Clark (J), Coleman, Gaston, Gray, Harper, Johnson (Roy), Kvalheim, McKee, Richardson, Sasser and Smith.

—13

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Holley, the rules were suspended in order to take up out of order the bill, S. 343.

And the bill:

S. 343. Relating to findings of the Legislature regarding the disease Avian Influenza; setting the crime of a knowing or wanton violation of laws or regulations pertaining to the control or eradication of Avian Influenza a Class C felony.

Was read a third time at length and passed.

Yeas 73; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Hettinger, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McMillan, Marietta, Mathis, Mikell, Mitchell, Newman, Nicholson, Parker, Penry, Perdue, Pratt, Preuit, Rains, Reed, Richardson, Smith, Starkey, Starr, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—73

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Biddle, the rules were suspended in order to take up out of order the bill, H. 296.

And the bill:

H. 296. To amend Code of Alabama 1975, Section 9-11-231 by adding thereto Sections b, c, and d and by renumbering Section 9-11-231 to designate the present section as Section (a); by such amendment to designate the

flattened musk turtle (Sternotherus minor depressus) as protected within the meaning of Title 9 of the Code of Alabama of 1975; to prescribe unlawful activities in connection with the flattened musk turtle (Sternotherus minor depressus); to provide that the Alabama Department of Conservation and Natural Resources may issue permits for certain activities in connection with the flattened musk turtle (Sternotherus minor depressus) and to establish criminal penalties for the violation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Biddle, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Hettinger, Holley, Holmes, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, McNair, Marietta, Mathis, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Penry, Perdue, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Starkey, Starr, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (G), White (L) and Zoghby.

—78

#### CO-SPONSORS ADDED

The following were added as co-sponsors to the bill, H. 296:

Mr. Speaker, Albright, Bachus, Beers, Biddle, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Coleman, Davis, Dutton, Escott, Faulk, Goodwin, Gray, Hall, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Lauderdale, McKee, Marietta, Mathis, Newman, Nicholson, Onderdonk, Penry, Perdue, Pratt, Preuitt, Rains, Richardson, Rogers, Starkey, Starr, Trammell, Turner, White (G) and White (L).

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Turner, the rules were suspended in order to take up out of order the bill, H. 36.

And the bill:

H. 36. Authorizes the Department of Revenue to pay twelve hundred dollars annually to Appraisers, Mappers and Alabama Certified Tax Administrators who receive professional recognition as an Alabama Certified Appraiser, Alabama Certified Mapper and Alabama Certified Tax Administrator. The payment by the Department will be from funds now appropriated under Code of Alabama, 1975, Section 40-7-70.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 2.

Yeas:

Mr. Speaker, Adams, Albright, Beers, Blake, Blakeney, Boles, Bowling, Box,

Brakefield, Britnell, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harvey, Hettinger, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, McMillan, Newman, Nicholson, Onderdonk, Pratt, Rains, Rice, Richardson, Rogers, Smith, Starkey, Starr, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zogby.

—64

Nays: Reps.: Bachus and McKee.

—2

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Holley, the rules were suspended in order to take up out of order the bill, S. 418.

And the bill:

S. 418. To amend Sections 41-7-1 and 41-7-5, Code of Alabama 1975, which established the bureau of publicity and information, so as to change the name to the bureau of tourism and travel.

Was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker, Albright, Bachus, Beers, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Buskey (John), Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, McNair, Marietta, Martin, Mathis, Mitchell, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Pratt, Preuitt, Rains, Reed, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Starkey, Starr, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—80

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Gaston, the rules were suspended in order to take up out of order the bill, S. 129.

And the bill:

S. 129. To prescribe certain qualifications for persons representing themselves to the public as dietitians, nutritionists or registered dietitians or other similar titles; and to prescribe penalties for violations of this Act.

Was read a third time at length and passed.

Yeas 75; Nays 1.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (John), Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Harper, Hettinger,

Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, McNair, Marietta, Mathis, Mitchell, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Pratt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Starkey, Starr, Thomas, Trammell, Turner, Turnham, Venable, White (F), White (G), White (L) and Zoghby.

—75

Nays: Rep. Holley.

—1

### H. 39 AGAIN TAKEN UP

And the bill:

H. 39. Relating to home health agencies in Alabama; providing for licensing of home health agencies; empowering the state board of health to grant and revoke such licenses; establishing an advisory board to assist the state board of health in carrying out the provisions of this act; and prescribing criminal penalties for violating certain provisions of this act.

Which previously was reconsidered, was again taken up.

### SUBSTITUTE OFFERED

Rep. Turner offered the offered substitute to the bill, H. 39:

#### A BILL TO BE ENTITLED AN ACT

This bill defines a home health agency and provides for the licensure by the State Board of Health. It authorizes the State Board of Health to promulgate the minimum rules and regulations to ensure the quality of health care provided to the recipients of home health services and provides for an annual licensing fee to carry out the licensure provisions of this act and sets a penalty for operating a service without the proper license.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purpose of this act, the following terms shall have the meanings respectively ascribed to them by this section:

A. "Home health agency" means a public or privately owned partnership, corporation, association or proprietorship, or a subdivision of such a partnership, corporation, association of proprietorship properly authorized to conduct business in Alabama. The home health agency must have a clearly identifiable governing board and must provide services under the supervision of professional health care personnel. The agency shall be engaged in providing to individuals under a physician's plan of treatment, in the individual's place of residence, part-time intermittent skilled nursing services by or under the supervision of a registered nurse licensed to practice in Alabama, and one or more of the following therapeutic services: physical therapy; occupational therapy; speech therapy; medical social services; or home health aide services. In addition to the above stated services, the home health agency may include, but is not limited to, such services as nutritional, homemaker, laboratory, telephone reassurance, counseling, and the provision of medical equipment and supplies.

B. "Residence" means a place where an individual resides, including a home, nursing home, domiciliary or convalescent home.



C. "Part-time, intermittent care" is that which generally requires less than four (4) hours for any specific episode of service. It may be provided more than once per day but is not provided on a continuous or twenty-four hour basis, but must be in accord with the patient's plan of treatment pursuant to physician certification of reasonableness and necessity.

D. "A physician's plan of treatment" is a written order for specific services which directs the nature, frequency and duration of services to be provided.

E. "Home health service" means the provision of skilled nursing services and one or more therapeutic services as described in Section 1. A. for pay or other consideration in an individual's residence.

F. "Licensing agency" means the State Board of Health.

G. "Person" means any individual, partnership, corporation or association.

H. "Sub-unit" means semi-autonomous entity that does not share administration, supervision, and services on a daily basis with its principal place of business.

Section 2. Exclusions—For the purposes of this act, the following shall be excluded from the definition of a home health agency:

A. Licensed physician personally rendering home visits to his/her own patients.

B. An individual whose permanent residence is in the patient's residence.

C. A self-employed licensed nurse who performs private duty nursing services.

D. An individual employee of a home health agency holding a license under this act who receives no benefit for providing home health services other than wages from the employer.

E. An individual who provides home health service through a contract with a home health agency licensed under this act.

F. A licensed personnel referral service and personnel referred thereby.

G. Private duty nursing services and private sitter services which are not in fact rendering home health services as defined in Section 1.

Section 3. The State Board of Health is hereby authorized to issue licenses for the operation of home health agencies which are found to comply with the provisions of this act and any regulations lawfully promulgated by the said State Board of Health.

A. The State Board of Health is hereby authorized to suspend or revoke a license issued under this article on any of the following grounds:

(1) Violation of any of the provisions of this act or the rules and regulations issued pursuant thereto;

(2) Permitting, aiding or abetting the commission of any illegal act; or

(3) Conduct or practices deemed by the State Board of Health to be detrimental to the welfare of the patient.

B. Before any such license issued under this act is suspended or revoked, written notice shall be given the licensee, stating the grounds of the

complaint and the date, time and place set for the hearing of said complaint, which date of hearing shall be not less than thirty (30) days from the date of the notice. Such a notice shall be sent by registered or certified mail to the licensee at the address where the agency concerned is located. The licensee shall be entitled to be represented by legal counsel at the hearing.

C. If a license is revoked as provided in this section, a new application for license may be considered by the State Board of Health if, when and after the conditions upon which revocation was based have been corrected and evidence of this fact has been furnished. A new license shall then be granted after proper inspection has been made and all provisions of this act and rules and regulations promulgated under this act have been satisfied.

D. Any party aggrieved by a final decision or order of the Board of Health suspending or revoking a license is entitled to a review of such decision or order by taking an appeal to the circuit court of the county in which the agency is located or is to be located.

Section 4. No home health agency as defined in Section 1 may engage in the business of providing home health services unless the person or legal entity has acquired from the licensing agency a license for its principal place of business and for each sub-unit thereof from which home health services are provided.

Section 5. An applicant for a license to provide home health services must:

A. File a written application on a form prescribed by the licensing agency;

B. File with the application the name and address of the owner of the agency, or a list of names and addresses of persons who own an interest in the agency;

C. Pay to the licensing agency a license fee of three hundred dollars (\$300.00) in accordance with this act. All funds received are hereby appropriated to the licensing agency to carry out the provisions of this act.

D. If the application is, at the time this act becomes effective, a certified home health agency, it shall include a copy of its letter of approval from the Department of Health and Human Services showing its compliance with the Federal Conditions of Participation. All other applicants must attach a copy of a valid Certificate of Need from the appropriate state agency designating the area in which services are to be provided.

Section 6. The licensing agency is hereby authorized to issue licenses for the operation of home health agencies which are found to comply with the provisions of this act and any regulations lawfully promulgated by this act. The licenses issued shall expire one year from the date of issuance. A license issued under this act is not transferable or assignable; it shall be issued only for the entity named in the application, shall be posted in a conspicuous place on the premises of the licensee and may be renewed from year to year upon application, investigation and payment of the required license fee, as in the case of procurement of the original license.

Section 7. The licensing agency shall promulgate rules and regulations necessary to carry out the provisions of this act. The licensing agency shall appoint seven (7) representatives from a list of members in good standing for each type of home health providers submitted by the Board of Directors of the Alabama Association of Home Health Agencies (AAHHA) to assist and advise with the drafting of the regulations and other subsequent

amendments and such representatives shall serve in the capacity of the Home Health Licensure Advisory Committee. The representatives submitted by the Board of Directors shall consist of two representatives from each of the following providers: hospital-based agencies, private nonprofit agencies, proprietary agencies and public agencies and shall serve staggered terms of two years, the terms of four (4) members expiring on January 31 of each even-numbered year and the terms of three (3) members expiring on January 31 of each odd-numbered year.

Rules and regulations shall include uniform minimum standards for home health agencies of like kind licensed under provisions of this act as deemed necessary for the protection of the health, safety and welfare of the public by ensuring adequate and quality care of individuals receiving such services.

Section 8. Any home health agency which is in operation on October 1, 1984, shall be given up to one year from the effective date of the rules, regulations and standards promulgated, to comply with the provisions of this act.

Section 9. Any person or persons or other entity or entities establishing, managing or operating a home health agency or otherwise providing home health services without the license required under the several provisions of this act, or which otherwise violate any of the provisions of this act or the rules, regulations or standards promulgated and established in furtherance of this act, shall be guilty of a Class C misdemeanor and, upon conviction thereof, shall be fined not more than five hundred dollars (\$500.00) for each offense. Each day of a continuing violation shall be considered a separate offense. The licensing agency may seek injunctive relief in the event it deems such action necessary after consulting with the attorney general.

Section 10. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 11. All laws or parts of laws in conflict with this act are hereby repealed.

Section 12. This act shall become effective on October 1, 1984, and following its passage and approval by the Governor or its otherwise becoming a law.

#### SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 68; Nays 0.

*Yeas:*

Reps.: Mr. Speaker, Albright, Bachus, Beers, Blake, Blakeney, Bowling, Box, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (John), Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, McNair, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Pratt, Preuitt, Rains, Reed,

Rogers, Sasser, Smith, Starkey, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—68

And the bill:

H. 39. This bill defines a home health agency and provides for the licensure by the State Board of Health. It authorizes the State Board of Health to promulgate the minimum rules and regulations to ensure the quality of health care provided to the recipients of home health services and provides for an annual licensing fee to carry out the licensure provisions of this act and sets a penalty for operating a service without the proper license.

As thus amended, was read a third time at length, passed and ordered engrossed.

Yeas 64; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (John), Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Dutton, Escott, Faulk, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, McKee, McMillan, Marietta, Newman, Nicholson, Onderdonk, Parker, Penry, Pratt, Rains, Reed, Richardson, Sasser, Smith, Starkey, Thomas, Trammell, Venable, Warren, White (F), White (L) and Zoghby.

—64

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Butler, the rules were suspended in order to take up out of order the bill, H. 333.

And the bill:

H. 333. To amend Section 17-4-156 of the Code of Alabama 1975, relating to sessions of boards of registrars and working days for such boards, so as to provide that such sessions and working days shall be based on the fiscal year beginning October 1, 1984, and thereafter.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Carothers, Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Gaston, Grouby, Hall, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Mathis, Melton, Mikell, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Preuitt, Rains, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starr, Thomas, Turner, Venable, Warren, White (F), White (G) and Zoghby.

—68

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 215. To amend Section 1 of Act No. 83-889, Fourth Special Session of 1983, so as to define "Discovery well", "Development wells", "On-shore well", "Replacement well", "Commenced", "Completion" and "Pool", and to amend Section 2 of Act No. 83-889, Fourth Special Session of 1983, so as to provide that all oil and gas produced from onshore discovery wells, all oil and gas produced from onshore development wells on which drilling commenced within four years of the completion date of the discovery well and producing from a depth of 6,000 feet or greater, and all oil and gas produced from onshore development wells on which drilling commenced within two years of the completion date of the discovery well and producing from a depth less than 6,000 feet shall be taxed at a rate of six (6) percent of the gross value of said oil and gas at the point of production for a period of five (5) years from the date production begins from said discovery and development wells, provided that said discovery and development wells were permitted by the State Oil and Gas Board of Alabama after July 1, 1984; and providing further that the six (6) percent tax rate applicable to a discovery well or development well shall be applicable to any replacement well drilled to replace the discovery well or the development well during the six-percent, five-year, tax-rate period for only the remainder of the said tax-rate period.

McDOWELL LEE,  
Secretary.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Coburn, the rules were suspended in order to take up out of order the bill, H. 768.

And the bill:

H. 768. (With Amendment): To provide that certain county officers and employees who belong to the state retirement system, who are deemed blind, shall be entitled to a minimum retirement benefit allowance.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend House Bill 768 in Section 1 page 1, line 27, after the word "and" by inserting the following:

having met the requirements for disability retirement or service retirement and

And the amendment was adopted.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Carothers, Carter, Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott,

Faulk, Gaston, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (Roy), Kennedy, Laird, Lauderdale, Lindsey, McKee, McMillan, Marietta, Mathis, Newman, Nicholson, Onderdonk, Penry, Perdue, Preuitt, Rains, Rice, Rogers, Sasser, Seibels, Smith, Spratt, Thomas, Trammell, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—63

And the bill, H. 768, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (John), Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Laird, Lauderdale, Lindsey, McKee, McMillan, Marietta, Mathis, Mikell, Newman, Nicholson, Onderdonk, Payne, Penry, Perdue, Preuitt, Rains, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Starr, Thomas, Trammell, Turner, Venable, White (F), White (L) and Zoghby.

—67

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Bachus, the rules were suspended in order to take up out of order the bill, H. 745.

And the bill:

H. 745. To exempt from state income taxation certain income earned by a foreign missionary while serving out of this country.

Was taken up.

#### SUBSTITUTE OFFERED

Rep. Bachus offered the following substitute to the bill, H. 745:

#### A BILL TO BE ENTITLED AN ACT

To exempt from state income taxation certain income earned by a foreign missionary while serving out of this country.

Be It Enacted by the Legislature of Alabama:

Section 1. All income earned from any missionary service rendered by a foreign missionary while he or she is physically present in a foreign country or countries for a minimum of twenty-four months and is employed or appointed by a church or other like religious organization is hereby exempted from any state income taxation or like taxation by whatever name called.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are hereby repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 81; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, Marietta, Mathis, Mikell, Moore, Newman, Nicholson, Onderdonk, Payne, Penry, Perdue, Preuitt, Rains, Rice, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—81

And the bill, H. 745, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Bachus, Biddle, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Johnson (R.G.), Kennedy, Kvalheim, Lauderdale, Lindsey, McKee, McMillan, Marietta, Mathis, Melton, Mikell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Preuitt, Rains, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—81

CO-SPONSORS ADDED

The following were added as co-sponsors to the bill, H. 745:

Mr. Speaker, Bachus, Beers, Biddle, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (John), Butler, Carothers, Clark (D), Coleman, Crow, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Mathis, Melton, Mikell, Newman, Nicholson, Parker, Payne, Penry, Perdue, Preuitt, Rains, Rice, Richardson, Rogers, Seibels, Smith, Spratt, Starkey, Starr, Trammell, Turnham, Venable, White (F), White (G), White (L) and Zoghby.

## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Carter, the rules were suspended in order to take up out of order the bill, S. 12.

And the bill:

S. 12. To prohibit the acts of shooting or discharging a firearm, explosive or other weapon which discharges a dangerous projectile into any occupied or unoccupied dwelling or building or railroad locomotive or railroad car, aircraft, automobile, truck or watercraft and to prescribe felony punishment for such acts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Carothers, Carter, Clark (D), Coleman, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, Marietta, Mathis, Melton, Mikell, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Preuitt, Rains, Reed, Rogers, Seibels, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (G), White (L) and Zoghby.

—75

## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Boles, the rules were suspended in order to take up out of order the bill, H. 211.

And the bill:

H. 211. To provide for the enactment of the Alabama Uniform Parentage Act, creating a civil cause of action in the courts of this state for the determination of paternity for the purposes of support and other reasons; to provide for the definition of the parent and child relationship and methods for the establishment of said relationship; to provide for a presumption of paternity; to provide for the jurisdiction of actions to determine paternity and support under this Act in those courts exercising jurisdiction over juvenile proceedings; to provide for the venue and service of process in said proceedings; to provide for the determination of the existence or non-existence of the father and child relationship and when and by whom these actions may be brought; to specifically provide that applicable sections of the Criminal Code shall remain available for the enforcement of a child's right to support; to provide for court-ordered blood tests, the selection of expert witnesses and evidence relating to paternity and the admissibility of such evidence; to provide for court orders determining paternity and the payment of support and the enforcement of such orders by the mother, the child or public authorities furnishing expenses and support; to provide that written agreements for support shall be enforceable by the courts; to provide that any party may be represented by an attorney and that the district attorney, special prosecutor and other attorney authorized to represent the State of Alabama shall prosecute all proceedings under this Act; to provide a statute of limitations for paternity actions under this act; to provide that



any interested party may also bring an action to determine the existence or non-existence of the mother and child relationship; to provide for the issuance of a new birth certificate upon a determination of paternity; to further provide for the appeal of judgments rendered pursuant to this Act to the circuit court for a trial de novo and by a jury, if demanded; to provide for the treatment of the husband of a woman who has been the subject of artificial insemination with his consent, as the natural father of a child born thereof; and to specifically repeal Sections 26-12-1 through 26-12-9, Code of Alabama 1975.

Was taken up.

AMENDMENT OFFERED

Rep. Boles offered the following amendment to the bill, H. 211:

H. B. 211 is amended as follows: On page 18, line 27 at the end of Section 21 (a) insert the following language:

"The supervising physician shall not be liable to any person, including the wife, the husband, or a child resulting from an artificial insemination procedure, for the release of any information pertaining to the artificial insemination which occurs through accident, error, omission, inadvertence or the intentional conduct, without malice, of the physician or his agents, servants, or employees."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Blakeney, Boles, Bowling, Brakefield, Britnell, Brooks, Bryant, Bugg, Buskey (John), Carothers, Carter, Clark (D), Clark (J), Coleman, Crow, Dutton, Escott, Faulk, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Hettlinger, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Mathis, Melton, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Rains, Seibels, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Venable, White (L) and Zoghby.

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S. 87 SUBSTITUTED FOR H. 211

On motion of Rep. Boles, the bill, S. 87, was submitted for the bill, H. 211.

And the bill:

S. 87. To provide for the enactment of the Alabama Uniform Parentage Act, creating a civil cause of action in the courts of this state for the determination of paternity for the purposes of support and other reasons; to provide for the definition of the parent and child relationship and methods for the establishment of said relationship; to provide for a presumption of paternity; to provide for the jurisdiction of actions to determine paternity and support under this Act in those courts exercising jurisdiction over juvenile proceedings; to provide for the venue and service of process in said proceedings; to provide for the determination of the existence or non-existence of the father and child relationship and when and by whom these actions

may be brought; to specifically provide that applicable sections of the Criminal Code shall remain available for the enforcement of a child's right to support; to provide for court-ordered blood tests, the selection of expert witnesses and evidence relating to paternity and the admissibility of such evidence; to provide for court orders determining paternity and the payment of support and the enforcement of such orders by the mother, the child or public authorities furnishing expenses and support; to provide that written agreements for support shall be enforceable by the courts; to provide that any party may be represented by an attorney and that the district attorney, special prosecutor and other attorney authorized to represent the State of Alabama shall prosecute all proceedings under this Act; to provide a statute of limitations for paternity actions under this act; to provide that any interested party may also bring an action to determine the existence or non-existence of the mother and child relationship; to provide for the issuance of a new birth certificate upon a determination of paternity; to further provide for the appeal of judgments rendered pursuant to this Act to the circuit court for a trial de novo and by a jury, if demanded; to provide for the treatment of the husband of a woman who has been the subject of artificial insemination with his consent, as the natural father of a child born thereof; and to specifically repeal Sections 26-12-1 through 26-12-9, Code of Alabama 1975.

Was read a third time at length and passed.

Yeas 63; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Dutton, Faulk, Flowers, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Mathis, Newman, Nicholson, Parker, Penry, Preuitt, Rains, Rice, Richardson, Sasser, Smith, Starkey, Trammell, Turnham, Venable, Warren, White (L) and Zoghby.

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#### H. 211 INDEFINITELY POSTPONED

On motion of Rep. Boles, the bill, H. 211, was indefinitely postponed.

#### H. 174 INDEFINITELY POSTPONED

On motion of Rep. Turnham, the bill:

H. 174. To prescribe certain qualifications for persons representing themselves to the public as dietitians, nutritionists or registered dietitians or other similar title; and to prescribe penalties for violations of this Act.

Was indefinitely postponed.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 359. To amend Sections 27-43-3, 27-43-6, and 27-43-15, Code of

Alabama 1975, relating to legal expense insurance, so as to permit certain persons conducting life, accident and sickness insurance business to transact legal insurance business.

McDOWELL LEE,  
Secretary.

#### H. 213 INDEFINITELY POSTPONED

On motion of Rep. Boles, the bill, H. 213, was indefinitely postponed.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Blake, the rules were suspended in order to take up out of order the bill, H. 642.

And the bill:

H. 642. Providing for non-profit organizations in the State to purchase goods and services through the Purchases and Stores Division of the Department of Finance, upon request and purchase products and services offered by the Correctional Industries Division of the Department of Corrections.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Biddle, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Goodwin, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Mathis, Melton, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Preuit, Rains, Reed, Rice, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Adams, the rules were suspended in order to take up out of order the bill, H. 446.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Laird, the rules were suspended in order to take up out of order the bill, H. 14.

And the bill:

H. 14. To amend Section 25-10-6, Code of Alabama 1975, which provides for the membership on the small business assistance advisory council, so as to increase legislative members on the council.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker, Albright, Beers, Biddle, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, Marietta, Mathis, Melton, Mikell, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Preuitt, Rains, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Turner, Venable, White (F), White (G), White (L) and Zoghby.

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#### CO-SPONSORS ADDED

Reps. Hettinger and Smith were added as co-sponsors to the bill, H. 14.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. White (G), the rules were suspended in order to take up out of order the bill, H. 847.

And the bill:

H. 847. To amend Section 6-5-332, Code of Alabama 1975, the Good Samaritan Law, so as to provide that any person rendering emergency care at the scene of an accident is exempt from certain civil liability.

Was taken up.

#### SUBSTITUTE OFFERED

Rep. White (G) offered the following substitute to the bill, H. 847:

#### A BILL TO BE ENTITLED AN ACT

To amend Section 6-5-332, Code of Alabama 1975, the Good Samaritan Law, so as to provide that any person rendering emergency care at the scene of an accident is exempt from certain civil liability.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 6-5-332, Code of Alabama 1975, is hereby amended to read as follows:

“§ 6-5-332.

“(a) When any person, doctor of medicine or dentistry, nurse, member of any organized rescue squad, member of any police or fire department, member of any organized volunteer fire department, Alabama licensed emergency medical technician, intern or resident practicing in an Alabama hospital with training programs approved by the American Medical Association, Alabama state trooper or medical aidman functioning as a part of the military assistance to safety and traffic programs, gratuitously and in good faith, renders first aid or emergency care at the scene of an accident, casualty or disaster to a person injured therein, he shall not be liable for any civil damages as a result of his acts or omissions in rendering such first aid or emergency care, nor shall he be liable for any civil damages as a result of

any act or failure to act to provide or arrange for further medical treatment or care for the injured person.

“(b) Any member of the crew of a helicopter which is used in the performance of military assistance to safety and traffic programs and is engaged in the performance of emergency medical service acts shall be exempt from personal liability for any property damages caused by helicopter downwash or by persons disembarking from the helicopter.

“(c) When any physician gratuitously advises medical personnel at the scene of an emergency episode by direct voice contact, to render medical assistance based upon information received by voice or biotelemetry equipment, such actions ordered taken by the physician to sustain life or reduce disability shall not be considered liable when such actions are within the established medical procedures.

“(d) Any person who is qualified by a federal or state agency to perform mine rescue planning and recovery operations, including mine rescue instructors and mine rescue team members, and any person designated by an operator furnishing a mine rescue team to supervise, assist in planning or provide service thereto, who, in good faith, performs or fails to perform any act or service in connection with such mine rescue planning and recovery operations shall not be liable for any civil damages as a result of any such acts or omissions; provided, however, that nothing contained in this subsection shall be construed to exempt from liability any person responsible for an overall mine rescue operation, including an operator of an affected facility and any person assuming responsibility therefor under federal or state statutes or regulations.”

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 67; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Bachus, Beers, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (John), Butler, Campbell, Carothers, Clark (D), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McKee, McMillan, McNair, Marietta, Mathis, Melton, Mikell, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Preuitt, Rains, Rogers, Sasser, Seibels, Spratt, Starkey, Starr, Trammell, Turner, Venable, White (L) and Zoghby.

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And the bill, H. 847, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Bachus, Beers, Biddle, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (John), Butler, Campbell, Carothers, Clark (D), Coleman, Cosby, Crow, Davis, Dutton,

Escott, Faulk, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, McNair, Marietta, Mathis, Melton, Mikell, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Pratt, Preuitt, Rains, Rice, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Trammell, Turner, Venable, White (F), White (G), White (L) and Zoghby.

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## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. White (L), the rules were suspended in order to take up out of order the bill, H. 764.

And the bill:

H. 764. To amend Code Section 22-6-4.2 of the Code of Alabama 1975, relating to copayment for prescription drugs, so as to conform state law to the requirements of the medicaid provisions of Public Law 97-248, enacted by the 97th Congress of the United States of America and known as the Tax Equity and Fiscal Responsibility Act of 1982.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, McNair, Marietta, Mathis, Melton, Mikell, Nicholson, Onderdonk, Penry, Preuitt, Rains, Reed, Rice, Rogers, Sasser, Smith, Spratt, Starkey, Thomas, Trammell, Turner, Venable, White (F), White (L) and Zoghby.

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## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Holley, the rules were suspended in order to take up out of order the bill, S. 201.

And the bill:

S. 201. Relating to the promotion of the production, research, distribution, marketing, use, improvement and sale of soybeans and soybean products; to amend Section 2-8-89 of the Code of Alabama 1975, to provide that the assessment levied upon the sale of soybeans shall not exceed two cents per net bushel after deductions for foreign material on any soybeans sold by producers.

Was read a third time at length and passed.

Yeas 80; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Bachus, Beers, Biddle, Blakeney, Boles, Bowling,

Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, Mathis, Melton, Mikell, Nicholson, Parker, Penry, Perdue, Preuitt, Rains, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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#### H. 71 INDEFINITELY POSTPONED

On motion of Rep. Holley, the bill:

H. 71. Relating to the promotion of the production, research, distribution, marketing, use, improvement and sale of soybeans and soybean products; to amend Section 2-8-89 of the Code of Alabama 1975, to provide that the assessment levied upon the sale of soybeans shall not exceed two cents per net bushel after deductions for foreign material on any soybeans sold by producers.

Was indefinitely postponed.

#### RESOLUTIONS

The following resolutions were introduced and distributed according to Joint Rule 11:

By Reps. Turner and Clark (W):

H. R. 328. COMMENDING MRS. LOIS B. HURST, PROMINENT MOBILE COUNTY EDUCATOR.

Also:

By Reps. Turner and Clark (W):

H. R. 329. COMMENDING MRS. BETTY E. BROOKS, PROMINENT MOBILE COUNTY EDUCATOR.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and sends same herewith to the House:

By Senators Corbett, Teague, Parsons, and Strong:

S. 193. To amend Sections 25-5-13 and 25-5-50, Code of Alabama, 1975, so as to provide for certain additions and to remove certain exceptions from compulsory participation.

Also:

By Senator Hilliard:

S. 554. To authorize, based on certain legislative findings, municipalities situated in Alabama to alter and change water courses and to acquire, construct and develop wharves, warehouses, and other improvements related to the development and operation of river ports within a radius of twenty-five miles of the limits thereof in order to maximize the ability of such municipalities to promote the use of river and water transportation to

take advantage of the transportation potential made possible by the Tombigbee Waterway, provided that no such facility can be constructed or developed within the police jurisdiction of another municipality without the consent thereof, or in an unincorporated area of any county without the consent of the governing body of such county; to authorize such municipalities to issue general obligation bonds, or to authorize industrial development boards to issue revenue bonds, to finance such river port facilities; to authorize municipalities and counties to contribute funds to such municipalities for construction and operation of such river port facilities, and to contract for joint construction and operation thereof; to make the provisions hereof severable; and to provide an effective date of the Act.

Also:

By Senator Hand:

S. 546. To amend Section 36-26-17, Code of Alabama 1975, which relates to state employees' merit system and the method of filling vacancies, so as to exempt the Revenue Department from certain provisions.

Also:

By Senator Langford:

S. 143. Relating to elections, to establish an annual voter registration day; to require that the hours of the board of registrars coincide with the business hours of the courthouse; to require that in certain counties, the probate judge or chief probate clerk or others be appointed as deputy registrars; to require, upon the request of certain municipal governing bodies, the appointment of the clerk of the municipality as a deputy registrar; to authorize certain high school and college officials to serve as deputy registrars; to establish a population basis for authorizing session days for boards of registrars; to provide for severability; and, to provide an effective date.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 193. Education.
- S. 554. Local Government.
- S. 546. State Administration.
- S. 143. Constitution and Elections.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment.

By Senator Teague:

S. 446. To authorize any municipality or group of municipalities, either individually or collectively, to establish a health and accident self-insurance group for the purpose of providing health care and hospital benefits for their officers, employees and family members dependent upon such



officers, employees and family members dependent upon such officers or employees; to authorize the use of public funds in providing such benefits; to provide procedures for the establishment and operation of such groups; to exempt such groups from the regulation by the Department of Insurance of State of Alabama; to exempt such groups from insurance premium taxes; and to establish an effective date.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 446. Local Government.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Senators Bishop, Denton, Aldridge, Foshee, Covington, Cooley, Goodwin, Bennett, Cabaniss, Sanders, Bailey, Hilliard and Parsons:

S. 558. To amend Section 36-29-2, Code of Alabama 1975, which creates the state employees' insurance board, so as to provide further for membership on the board.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 558. State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senators Smith (J), Cooley, Barron, and Smith (B):

S. 235. To amend Sections 16-49-26 and 16-49-27, Code of Alabama 1975, which provide for the meetings and quorum of the Board of Trustees of Alabama Agricultural and Mechanical University, so as to provide further for said meetings and quorum.

Also:

By Senator Parsons:

S. 582. To amend Section 11-43-2, Code of Alabama 1975, relating to the election of certain mayors and aldermen, and Section 11-43-80, Code of Alabama 1975, relating to the powers and duties of the mayor, so as to pro-

vide that the six-month time requirement may be waived to meet compliance with the Federal Voting Rights Act of 1965.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 235. Education.
- S. 582. Local Government.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Senator Smith (J):

S. 460. To authorize certain surplus state owned property to be loaned to volunteer ambulance services and volunteer rescue squads; to provide for a screening procedure and the final disposition of said property; and to provide for certain criminal penalties for violating the provisions of this act.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

- S. 460. Ways and Means.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Senators Drinkard and Teague:

S. 534. To amend Sections 33-16-7, 33-16-9 and 33-16-11 of the Code of Alabama 1975 to authorize the Coosa Valley Development Authority to undertake certain additional types of obligations, to modify certain restrictions pertaining to the contractual obligations of said authority, to provide that certain contracts between said authority and the United States shall not be subject to certain requirements generally applicable to contracts of said authority and to clarify the respective responsibilities of said authority and the state docks department with respect to the provision and maintenance of river and canal terminals.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 534. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Senators Dixon, Teague, Langford, and Foshee:

S. 557. To amend Section 16-25-14 of the Code of Alabama 1975, relating to benefits generally under the teachers' retirement system, so as to provide further for certain benefits under such system.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 557. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Senator Denton:

S. 535. To amend Section 6-10-126, Code of Alabama 1975, that provides for exemption of certain personal property from levy of an execution or attachment so as to provide that the exemption does not apply to certain personal property pledged in a consensual security agreement.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 535. Banking.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Denton:

S. 170. To provide that the governing body of any municipality, with

a population of less than 5,000 persons, by resolution duly adopted, may abolish or create a civil service system or other personnel board; to continue all rights, interest and privileges which certain employees have in any civil service or merit system within any such municipality; to prescribe that the provisions of this act shall be construed in pari materia with Section 36-27-6, Code of Alabama 1975, permitting certain governing boards, including municipalities to elect to have its eligible officers and employees participate in the state retirement systems; and to repeal conflicting laws.

Also:

By Senator Teague:

S. 315. To re-open the Retirement Systems of Alabama in order to allow active and contributing members and former such members with vested retirement benefits to claim and purchase credit for military service and to provide for its termination.

Also:

By Senator Langford:

S. 452. To amend Section 36-29-10, Code of Alabama 1975, which provides for the election of retired state employees, and retired teachers to continue coverage under the group insurance plan by the deduction of premiums for such coverage from their monthly benefit payments, so as to allow the state to assume a portion of the cost.

Also:

By Senator Hilliard:

S. 553. To amend Section 11-47-14 of the Code of Alabama, 1975, to permit all municipalities to issue bonds to construct a wharf or wharves and a landing or landings, and to purchase real estate therefore, within the city limits, or within twenty-five miles thereof.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 170. Local Government

S. 315. Ways and Means

S. 452. Ways and Means

S. 553. Local Government.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and sends same herewith to the House:

By Senator Cooley:

S. 299. To provide each teacher employed by county and city boards of education and the Alabama Institute for Deaf and Blind a minimum of

thirty minutes of time each day free of instructional or supervisory responsibilities and to provide funds for the employment of teacher aides.

Also:

By Senators Holmes and Teague:

S. 353. To establish penalties for certain criminal activities in respect to computers.

Also:

By Senator Higaes:

S. 475. To provide for a state historic park and land district in Mobile County to be known as "Africatown, State Historic Park and Landmarks District"; to provide public corporation for the purpose of developing, improving and maintaining such park and district; to prescribe the boundaries of such park and district and to authorize the Governor to enter into certain agreements with the progressive league for the development, supervision and maintenance of such park and district.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 299. Education.

S. 353. Judiciary.

S. 475. State Administration.

#### CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 1:50 P.M. on May 2, 1984.

H. 141.

H. 50.

H. 290.

H. 471.

H. 625.

Delivered to the Governor at 4:15 P.M. on May 2, 1984.

H. 341.

H. 208.

H. 554.

JOHN W. PEMBERTON,  
Clerk.

## ADJOURNMENT

On motion of Rep. Cosby and pursuant to the resolution, H. R. 324, heretofore adopted, the House adjourned until 10:00 o'clock a.m., Thursday, May 3, 1984.

## TWENTY-SIXTH DAY

House of Representatives  
Montgomery, Alabama  
Thursday, May 3, 1984

The House met pursuant to adjournment.

## PRAYER

The session was opened with prayer by Dr. Glenn Weekley, Pastor, The First Baptist Church, Jasper, Alabama.

## ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), and Zoghby.

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A quorum was present.

## REPORT OF STANDING COMMITTEE ON RULES

Rep. Clark (J) offered the motion to dispense with the reading at length of the Journal of the House for the twenty-fifth legislative day, and to concur in and adopt the Report of the Standing Committee on Rules.

## SUBSTITUTE MOTION LOST

The substitute motion offered by Rep. Rice, that the House adjourn, was lost.

Yeas 10; Nays 67.

*Yeas:*

Reps.: Biddle, Boles, Escott, Harper, Horn, McKee, Melton, Payne, Spratt and Trammell.

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*Nays:*

Mr. Speaker, Adams, Albright, Bachus, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Crow, Davis, Fuller, Goodwin, Grayson, Hall, Hammett, Harvey, Holley, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Laird, Lauderdale, Lindsey, McMillan, McNair, Marietta, Martin, Mathis, Mikell, Mitchell, Moore, Newman, Onderdonk, Parker, Perdue, Preuitt, Rains, Rice, Richardson, Sasser, Smith, Starkey, Starr, Tanner, Thomas, Turner, Turnham, Venable, Warren, White (F), White (L) and Zoghby.

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#### REPORT OF THE STANDING COMMITTEE ON RULES ADOPTED

The question was then on the motion offered by Rep. Clark (J) to disperse with the reading of the Journal of the House for the twenty-fifth legislative day, and to concur in and adopt the Report of the Standing Committee on Rules, and the motion was adopted.

#### MOTION TO RECESS LOST

The motion offered by Rep. Rice that the House recess for fifteen minutes was lost.

#### RESOLUTION

The following resolutions were introduced:

By Rules Committee:

H. R. 330. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That immediately upon adoption of this report, the following business in the order named be made the special and paramount order of business for Thursday, May 3, 1984, taking precedence over any other business of the House and any other pending Special Orders:

#### Local Bills

<u>Bill No.</u>	<u>Page</u>	<u>Sponsor</u>	<u>Short Title</u>
H. 724	160	Clark (J)	Uniform health plan for retired state employees
H. 487	63	Clark (J)	Uniform State Laws Commission
H. 727	159		Water & sewer systems; Bd. of Directors' expense allowance
H. 146	98	Campbell	Attorneys' license fees; increased
H. 947	170(S)	Moore	Discounts on motor fuel taxes allowed to distributors
H. 611	153	Faulk	Forestry improvements
S. 356	181	Cooley	Commissioners of revenue; salary

S. 114	178	Parsons	Beer territorial districts
H. 617	129	Cosby	Health care service; BC-BS

On motion of Rep. Clark (J), the resolution, H. R. 330, was adopted.

Also:

By Rep. Johnson (Roy):

H. R. 331: BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That when we adjourn today, Thursday, May 3, 1984, we adjourn to meet again on Tuesday, May 8, 1984, at 2:00 PM.

On motion of Rep. Johnson (Roy), the rules were suspended and the resolution, H. R. 331, was adopted.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Carter, the rules were suspended in order to introduce a resolution out of order.

#### RESOLUTION

The following resolution was introduced:

By Reps. Carter and Butler:

H. J. R. 332. COMMENDING BINFORD "BEN" TURNER OF RIPLEY, ALABAMA.

WHEREAS, Binford "Ben" Turner of Ripley, Alabama has made extraordinary contributions to his community; and

WHEREAS, he has provided business, civic and spiritual services to all of Northwest Alabama; and

WHEREAS, Mr. Turner has served as the Chairman of the Board of Directors of Athens-Limestone Hospital since January, 1971, and has served on the Board of Trustees of Riddles's Chapel United Methodist Church; and

WHEREAS, he is a member of the Board of Directors of the Athens-Limestone County Industrial Development Association of the Alabama Rural Waters Association, of the Mental Health Association; and

WHEREAS, he serves on the Legislative Affairs Committee on the Athens-Limestone Chamber of Commerce and is a member of the Election Law Commission of the State of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do express our sincere appreciation for the numerous contributions and dedicated service he has given to the State of Alabama and congratulate him on being named "Citizen of the Year" by the Athens-Limestone Chamber of Commerce.

BE IT FURTHER RESOLVED, That a copy of this Resolution be presented to Mr. Turner as a token of our praise and esteem.

On motion of Rep. Carter, the rules were suspended and the resolution, H. J. R. 332, was adopted.



MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Butler, the rules were suspended in order to introduce a resolution out of order.

RESOLUTION

The following resolution was introduced:

By Rep. Butler:

H. J. R. 333. COMMENDING BOBBY KELLER OF MADISON, ALABAMA, STATE ESSAY CONTEST AWARD WINNER.

WHEREAS, the Alabama Legislature notes with highest commendation the numerous outstanding accomplishments of Bobby Keller, Madison, Alabama; and

WHEREAS, among his most recent recognitions for achievement was the selection of his essay on "Employees: Disabled People Working," as the State's fourth place winner in the recent National Journalism Contest sponsored by the Governor's Committee on Employment of the Handicapped, the Alabama State Employment Service and the Vocational Rehabilitation Service; and

WHEREAS, Bobby Keller is a senior at Bob Jones High School where he is an outstanding scholar-athlete, having participated as a varsity stand-out in both football and basketball; and

WHEREAS, Bobby Keller, who was elected by vote of the Bob Jones student body as "Mr. Bob Jones," will attend the University of North Alabama on a football athletic scholarship; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Bobby Keller of Bob Jones High School, Madison, Alabama, as a statewide winner in the 1984 National Journalism Contest; we further express sincere praise of his numerous other accomplishments and direct that he receive a copy of this resolution in small token of our highest regard.

On motion of Rep. Butler, the rules were suspended and the resolution, H. J. R. 333, was adopted.

SPECIAL ORDER

The House then proceeded with the consideration of the Special Order.

And the bill:

H. 336. (With Amendment): Relating to Madison County, the City of Huntsville School Board members; providing for the election and terms of such members; and specifically repealing Section 1 of Act No. 587, S. 495, 1907 Regular Session (Local Acts 1907, p. 725), relating thereto, and conflicting laws.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said committee amendment being as follows:

Amend H. B. 336, Section 6, Page 2, line 20 by adding the following: The provisions of this act shall be implemented after its approval by the voters of the City of Huntsville at a referendum attached to a regularly

scheduled election and said referendum shall be conducted in the manner required and prescribed by law.

And the amendment was adopted.

Yeas 24; Nays 0.

Yeas:

Mr. Speaker, Albright, Blake, Blakeney, Brakefield, Brooks, Browder, Coleman, Crow, Faulk, Harper, Junkins, Kennedy, Lauderdale, Lindsey, Mathis, Newman, Penry, Rice, Sasser, Smith, Starkey, Turnham and White (L).

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#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 336, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 25; Nays 0

Yeas:

Mr. Speaker, Blake, Brakefield, Brooks, Bryant, Butler, Clark (D), Gaston, Goodwin, Gray, Harper, Hettinger, Lauderdale, Lindsey, McMillan, Mathis, Moore, Newman, Penry, Rice, Sasser, Smith, Starkey, Tanner and Turnham.

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#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Johnson (Roy), the rules were suspended in order to receive the reports of the Standing Committees.

#### BILLS ON SECOND READINGS

Rep. Zoghby, Chairman of the Standing Committee on Banking, reported that said Committee in session has acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to wit:

S. 363. To provide for payment of examination fees by credit unions.

S. 535. To amend Section 6-10-126, Code of Alabama 1975, that provides for exemption of certain personal property from levy of an execution or attachment so as to provide that the exemption does not apply to certain personal property pledged in a consensual security agreement.

Rep. Grayson, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and

ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 126. To provide that a local board of education may at its discretion allow a sick leave bank for its employees to be established upon the request of such employees.

S. 193. To amend Sections 25-5-13 and 25-5-50, Code of Alabama, 1975, so as to provide for certain additions and to remove certain exceptions from compulsory participation.

S. 299. To provide each teacher employed by county and city boards of education and the Alabama Institute for Deaf and Blind a minimum of thirty minutes of time each day free of instructional or supervisory responsibilities and to provide funds for the employment of teacher aides.

Rep. Carter, Chairman of the Standing Committee on Natural Resources, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 121. To amend Section 9-12-113 of the Code of Alabama 1975, as last amended, relating to certain hook and line, net, and seine licenses, so as to provide that the cost of a commercial hook and line license is \$25.00; to provide for a charge of \$100.00 for purse seine licenses regardless of the size of the purse seines; to require name and license number tags on all nets except purse seines; to delete the definition of nonresident; and to provide that all nets fished in an illegal manner shall be declared a nuisance and shall be subject to condemnation and forfeiture.

H. 609. To provide for the issuance of permits by the Department of Conservation and Natural Resources for the use of crossbows during both archery and gun deer seasons for quadriplegics and paraplegics who may not be able to use a normal sporting firearm; to provide for the promulgation of rules and regulations relative thereto.

H. 939. To propose an amendment to the Constitution of Alabama of 1901, relating to the promotion of production, distribution, improvement, marketing, use and sale of catfish and catfish products; and to provide for assessment and fees to pay for the cost thereof.

The above bill was read a second time at length as required by the Constitution.

Rep. Kvalheim, Vice-Chairman of the Standing Committee on Public Welfare, reported that said Committee in session has acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 156. To amend Section 3-1-29 of the Code of Alabama 1975, which section prohibits certain activities relating to fighting of dogs, so as to provide further for procedures relating to such prohibited activities.

Rep. Martin, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 328. To amend Section 12-13-20, Code of Alabama, 1975, as amended, which relates to salaried probate judges' minimum compensation so as to further provide for such compensation.

S. 553. To amend Section 11-47-14 of the Code of Alabama, 1975, to permit all municipalities to issue bonds to construct a wharf or wharves and a landing or landings, and to purchase real estate therefor, within the city limits, or within twenty-five miles thereof.

S. 554. To authorize, based on certain legislative findings, municipalities situated in Alabama to alter and change water courses and to acquire, construct and develop wharves, warehouses, and other improvements related to the development and operation of river ports within a radius of twenty-five miles of the limits thereof in order to maximize the ability of such municipalities to promote the use of river and water transportation to take advantage of the transportation potential made possible by the Tombigbee Waterway, provided that no such facility can be constructed or developed within the police jurisdiction of another municipality without the consent thereof, or in an unincorporated area of any county without the consent of the governing body of such county; to authorize such municipalities to issue general obligation bonds, or to authorize industrial development boards to issue revenue bonds, to finance such river port facilities; to authorize municipalities and counties to contribute funds to such municipalities for construction and operation of such river port facilities, and to contract for joint construction and operation thereof; to make the provisions hereof severable; and to provide an effective date of the Act.

S. 446. To authorize any municipality or group of municipalities, either individually or collectively, to establish a health and accident self-insurance group for the purpose of providing health care and hospital benefits for their officers, employees and family members dependent upon such officers or employees; to authorize the use of public funds in providing such benefits; to provide procedures for the establishment and operation of such groups; to exempt such groups from the regulation by the Department of Insurance of the State of Alabama; to exempt such groups from insurance premium taxes; and to establish an effective date.

Rep. Holmes, Chairman of the Standing Committee on Highway Safety, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the calendar, to-wit:

H. 952. To permit agricultural aircraft to take off and land on lightly traveled local highways with the permission of the state highway department director provided that the average daily traffic count on the road is less than 200.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 934. Relating to Dale County; redistricting the county for purposes of electing members of the county commission and providing for the election of county commissioners on such district basis.

H. 941. To provide for the filing for record and the preservation of all orders and decrees made and entered by any judge of the Circuit Court of the 32nd Judicial Circuit.

H. 954. Relating to Escambia County; to further amend Section 1 of Act No. 225, H. 204, Special Session of the Legislature 1965 (Acts 1965 Special Session, p. 306), as last amended, relating to the compensation of the

members of the board of education of Escambia County, so as to increase said compensation.

H. 955. Relating to Escambia County; providing that the Chairman of the Escambia County Commission shall serve full time as such officer.

H. 964. To extend, alter and rearrange the boundary lines and corporate limits of the City of Lincoln, Talladega County, Alabama.

Rep. Horn, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and place on the Calendar, to-wit:

H. 906. (With Amendment): Relating to the Jefferson County Legislative Delegation; establishing a county legislative delegation expense fund to be funded by Section II(b) of Act No. 639, H. 1646, Regular Session 1973 (Acts 1973, p. 946), said act entitled "Relating to counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to provide that in addition to all presently existing pistol permit fees there is hereby levied an additional pistol permit fee in the amount of Two Dollars and Fifty Cents (\$2.50); to provide that Two Dollars of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as the 'Sheriff's Fund'; to provide for the use of said Sheriff's Fund; to provide that Fifty Cents (\$.50) of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and identified as a 'Legislative Fund'; to provide for the use of said Legislative Fund; to provide that the provisions of this Act shall be severable; and to repeal all laws and parts of laws in conflict with this Act"; to abolish the present operation of the Jefferson County Delegation Office, so as to provide for a monthly allocation of the county legislative delegation expense fund on an equal basis to each legislative member of the delegation and to provide an accounting thereof.

Rep. McKee, Chairman of the Standing Committee on Local Legislation No. 4 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 956. (With Amendment): Relating to Montgomery County; to further provide for the supplemental salary payable from the county to district court judges.

Rep. Turner, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 921. (With Substitute) (With Amendments): Relating to any Class 2 municipality; providing for a referendum on the question of adoption of a mayor-council form of government, a council-manager form of government, or the mandated district-commission form of government; establishing in the alternative said forms of government; and providing for penalties for violations of certain provisions of this Act.

Rep. Rains, Chairman of the Standing Committee on Local Legislation

No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 806. (With Amendment): Relating to Perry County; divesting the chairmanship of the county commission from the judge of probate; providing for the division of Perry County into five election districts for purposes of electing the county commission; providing for the election of five commissioners by the qualified electors of such districts; providing for the residency requirements and qualifications of the commissioners; providing for the election of the chairperson of the county commission and prescribing the compensation, duties and powers of the commission.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 807. Relating to Perry County; dividing the county into certain districts for purposes of electing members of the county board of education; providing for the election of such board members by the qualified electors of the respective districts; providing for certain residency requirements for such board members and prescribing the compensation of such members.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 860. (With Amendment): Relating to Baldwin County; providing for a referendum on the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner; providing for the compensation of such official; repealing conflicting laws; providing for filing by candidates for county revenue commissioner and an election therefor; and providing for its effectiveness.

Rep. Rains, Chairman of Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 893. To amend the title and sections 1, 2, 5, 6, 8, 9, 10, 11, 12, 13 and 15 of Act No. 82-693, H. 57 of the Second Special Session of 1982 (Acts 1982, p. 144) which created and established the Shelby County Planning Commission, so as to provide further for the membership, organization, authority and function of the commission and to specifically repeal section 16 of said act which provided for ratification, validation and approval of Act No. 816 approved September 2, 1965 and actions taken by the Shelby County Planning Commission, officials and electors of the county as of the date they were taken.

H. 928. Relating to Marion County; prescribing that the offices of the chairman and associate members of the county governing body shall be full time and receive the salary compensation as such full time commissioners as now provided by local law.

H. 935. To amend Section 8 of Act No. 83-532, H. 609, Regular Ses-

sion 1983 (Acts 1983, p. 827), which act levies an additional sales tax in Baldwin County, so as to provide further for the distribution of a certain portion of the proceeds of said tax so as to provide for the leasing or building and operation of a home for juveniles through the juvenile court of Baldwin County.

H. 936. Relating to Baldwin County; amending Act No. 81-99, S. 31, 1981 Regular Session, which provides for the compensation of the members of the board of registrars, so as to increase said compensation.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 937. (With Amendment): Relating to Baldwin County; granting to the county commission certain power and authority relative to public improvements in certain areas lying outside the corporate limits of any municipality in such county; providing for the assessment against the property benefited thereby of the cost and expenses of materials used in the performance of services relative to such public improvements if said improvements are approved by  $\frac{2}{3}$  of property owners affected; authorizing, providing for and regulating hearings relative to such assessments and appeals therefrom; providing for the collection of such assessments by the Baldwin county tax collector; investing the Baldwin County Commission with the same powers and authority relative to the collection of improvement assessments and liens therefor had by municipalities relative to municipal improvement assessments; providing that this act is cumulative to other laws relative to the authority, powers and duties of the Baldwin County Commission.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 953. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Valley Head in DeKalb County.

H. 965. Relating to Morgan County; to authorize the Morgan County Commission to pay the actual cost of replacing any clothing or equipment of a deputy sheriff, probation officer or juvenile detention officer of the county that is damaged or destroyed while such officer is engaged in the performance of his official duties and acting within the line and scope of his authority.

H. 966. Relating to Morgan County; to authorize the Morgan County Commission to enter into contract providing for the Sheriff of Morgan County to furnish police protection within a municipality of the county on a contract basis. To further authorize municipalities entering into such a contract police agreement to pay over to the county treasury for expenditures necessary to provide said contract policing.

H. 967. Relating to Morgan County; to amend Section 1 of Act No. 733, S. 811, Regular Session 1977 (Acts 1977, p. 1279) which regulates the compensation of members of the county board of registrars, so as to provide further for such compensation and to specifically repeal Act No. 622, H. 1108, 1981 Regular Session (Acts 1981, p. 1036).

H. 970. To authorize the Talladega County Commission to provide

protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

**REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS**

**Mr. Speaker:**

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 11. To amend Section 11-43-40, Code of Alabama, 1975, relating to the composition of city council in cities having a population of 12,000 or more so as to provide for a procedure to establish a council of not less than four nor more than ten aldermen to be elected from single-member districts and a council president to be elected at large; also, to exempt cities exercising this option in 1984 from all legal time requirements relating to the establishment or adjustment of ward or district lines, to provide a waiver of the requirement that the composition of a city council in a city having a population of 12,000 or more must be changed at a time more than six months prior to any general municipal election in the event the voters of such city have voted to change the form of government to the mayor-council form of government at an election held at a time within nine months of the date of the next ensuing general municipal election.

**JIMMY CLARK,**  
Chairman.

And the bill, H. 11 as engrossed, was ordered sent to the Senate.

**REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS**

**Mr. Speaker:**

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 39. This bill defines a home health agency and provides for the licensure by the State Board of Health. It authorizes the State Board of Health to promulgate the minimum rules and regulations to ensure the quality of health care provided to the recipients of home health services and provides for an annual licensing fee to carry out the licensure provisions of this act and sets a penalty for operating a service without the proper license.

**JIMMY CLARK,**  
Chairman.

And the bill, H. 39 as engrossed, was ordered sent to the Senate.

**REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS**

**Mr. Speaker:**

Your Standing Committee on Rules begs leave to report that said com-



mittee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 646. To amend Section 36-27-23, of the Code of Alabama 1975, relating to the general administration and proper operation of the retirement system of Alabama, so as to increase the number of members of the board of control of such system, and to provide for the election, qualifications and terms of office of the added member.

JIMMY CLARK,  
Chairman.

And the bill, H. 646 as engrossed, was ordered sent to the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 476. Relating to the functions of the Alabama board of funeral service; to amend Sections 34-13-1, 34-13-50, 34-13-55, 34-13-70, 34-13-72, 34-13-90, 34-13-130, and 34-13-132 and 34-13-57 of the Code of Alabama 1975, so as to clarify the educational requirements of applicants for examination and licensure; to extend the time in which a license may be reinstated; to provide for payment of actual cost of any examination; and to provide further for terms of service of an apprenticeship and the due date for the annual report of an apprentice.

JIMMY CLARK,  
Chairman.

And the bill, H. 476 as engrossed, was ordered sent to the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON  
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 440. To provide a Crime Victims Compensation Commission, procedures relating to their appointment, terms, compensation, powers and duties; to provide provision for office, support, staff and secretarial services of such commission; to provide for awards for compensation, for economic loss under certain circumstances to qualified applicants; to provide for the limiting of awards under certain circumstances; to provide restrictions for Commission authority as to claimant and possible collateral source benefits; to provide for medical examination requirements including limited waiver of physician-patient privilege; to provide award without requirement of prosecution or conviction of any individual; to provide procedures for subrogation rights; to provide for special types of awards procedures; to provide for annual reports and their distribution; to provide further for audits of the Commission; to provide further for surety bond of members, agents and employees; to provide further for the Alabama Crime Victims Compensation Fund and payments thereto by certain persons; to provide further for the taxing or assessing of additional court costs, assessments or penalties; to

provide further for the exemption of compensation from state or municipal taxation and certain writs of garnishment or attachment; to provide further for certain persons to be ineligible for compensation; to provide further for criminal penalties to be attached to certain acts by members, agents or employees of the Commission; to provide further for other criminal penalties in regard to claimants and other persons who perform certain acts or omissions; to provide further for other criminal penalties for persons who perform certain acts in regard to monies or securities of the Commission held in trust or otherwise; and to provide further for other criminal penalties in regard to false claims.

JIMMY CLARK,  
Chairman.

And the bill, H. 440 as engrossed, was ordered sent to the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES  
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 215. To amend Section 1 of Act No. 83-889, Fourth Special Session of 1983, so as to define "Discovery well", "Development wells", "On-shore well", "Replacement well", "Commenced", "Completion" and "Pool", and to amend Section 2 of Act No. 83-889, Fourth Special Session of 1983, so as to provide that all oil and gas produced from onshore discovery wells, all oil and gas produced from onshore development wells on which drilling commenced within four years of the completion date of the discovery well and producing from a depth of 6,000 feet or greater, and all oil and gas produced from onshore development wells on which drilling commenced within two years of the completion date of the discovery well and producing from a depth less than 6,000 feet shall be taxed at a rate of six (6) percent of the gross value of said oil and gas at the point of production for a period of five (5) years from the date production begins from said discovery and development wells, provided that said discovery and development wells were permitted by the State Oil and Gas Board of Alabama after July 1, 1984; and providing further that the six (6) percent tax rate applicable to a discovery well or development well shall be applicable to any replacement well drilled to replace the discovery well or the development well during the six-percent, five-year, tax-rate period for only the remainder of the said tax-rate period.

Also:

H. 359. To amend Sections 27-43-3, 27-43-6, and 27-43-15, Code of Alabama 1975, relating to legal expense insurance, so as to permit certain persons conducting life, accident and sickness insurance business to transact legal insurance business.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES  
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 266. To amend Section 1-3-8 of the Code of Alabama 1975, relating to observance of state holidays, so as to provide further for such holidays.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

PERMISSION GRANTED

Permission was granted for the Journal to show that Rep. Hettinger intended to vote "Nay" on the bill, H. 336.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Johnson (Roy), the rules were suspended in order to take the call of Districts for the introduction of resolutions and local bills.

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Reps. Venable and Mikell (With Notice and Proof):

H. 971. To amend Section 3 of Act No. 983, H. 1019, of the 1971 Regular Session (Acts 1971, p. 1759), which further regulates the possession, sale, storage, transportation, use and consumption of alcoholic beverages in Elmore County, so as to provide further for such regulation by deleting the requirement of a certain special retail license for such beverages and to provide that such deletion shall be retroactive to September 7, 1971.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 971, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Reps. Venable and Mikell (With Notice and Proof):

H. 972. Relating to Elmore County; to amend Section 2 of Act No.

388, H. 979, 1978 Regular Session (Acts 1978, p. 375), relating to compensation of the deputies of the sheriff's department, so as to provide further for such compensation and to provide for retroactive effect.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 972, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Reps. Mikell and Venable (With Notice and Proof):

H. 973. Relating to Elmore County; to provide for the election of members of the county commission, to define new districts and to repeal certain conflicting law.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 973, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Reps. Venable and Mikell (With Notice and Proof):

H. 974. Relating to Elmore County; providing further for the compensation, payable from the county treasury, for members of the county commission and an effective date therefor; specifically repealing Act No. 1779, H. 1732 of the 1971 Regular Session (Acts 1971, p. 2942) and Section 2 of Act No. 235, H. 945 of the 1975 Regular Session (Acts 1975, p. 761), relating to salary and expense allowances for members of the commission, and all laws conflicting herewith.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 974, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Reps. Mikell and Venable (With Notice and Proof):

H. 975. Relating to Elmore County; providing further for the compensation of the members of the board of registrars and to provide for retroactive effect.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 975, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Reps. Venable and Mikell (With Notice and Proof):

H. 976. Relating to Elmore County; to authorize the county commis-

sion to pay a mileage allowance to the license inspector not to exceed the allowance paid other county employees, retroactively effective to January 1, 1978.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 976, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Reps. Coleman and Rains (With Notice and Proof):

H. 977. Relating to Marshall County; to further regulate the appropriation and distribution of Tennessee Valley Authority funds paid in-lieu-of-taxes; making certain provisions retroactive to April 1, 1984; and specifically providing that the provisions of this act shall be cumulative.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 977, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. White (F):

H. 978. To amend Section 41-5-19 of the Code of Alabama 1975 so as to further provide that members of the Legislative Committee on Public Accounts shall receive their legislative pay and expense allowance and mileage for each meeting of the Committee.

Committee on Ways and Means.

By Rep. Goodwin (With Notice and Proof):

H. 979. Relating to Colbert County; providing further for the redemption of real property and lands subject to delinquent tax sales, pursuant to Title 40, Chapter 10, Code of Alabama 1975, so as to transfer to and authorize the county tax collector to perform and have the responsibilities and powers therein prescribed for the county treasurer.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 979, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. Zoghby (With Notice and Proof):

H. 980. Relating to Mobile County; providing that retired employees of the county health department shall be granted certain cost of living pension increases whenever retired state employees are granted such pension increases.

Committee on Local Legislation No. 3.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS AT-

TACHED TO THE BILL, H. B. 980, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Reps. McMillan and Penry (With Notice and Proof):

H. 981. Relating to Baldwin County and the term of office for county commissioners; and repealing conflicting laws.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 981, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Reps. Carothers and Mathis (With Notice and Proof):

H. 982. Relating to Houston County; amending Act No. 718, H. 1513, 1971 Regular Session, which provides for the compensation of the board of equalization, so as to provide further for said compensation.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 982, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. Horn (With Notice and Proof):

H. 983. To provide for the establishment of the Birmingham Civic Center and the creation of the Birmingham-Jefferson County Civic Center Authority, a public corporation, for the purpose of establishing, maintaining and operating such civic center; to provide for the Board of Directors of said Authority, the composition, membership, terms of office, powers and duties of said Board; to grant the Authority the power of eminent domain; to authorize the Authority to construct, maintain, control, operate and manage said civic center, and certain offices, buildings, streets, boulevards, walkways, parkways, parks, monuments, statues, certain other structures, community or meeting houses, auditoriums, arenas, convention halls and sites, places of recreation, music halls, art museum, art exhibits and other exhibits for the advancement of the humanities and the cultural development and edification of the citizens of the county and municipality to authorize the county and municipality to lease, sell, donate or otherwise convey to the Authority real or personal property, including park properties without authorizing an election of the qualified voters of the county or of the municipality provided that respective governing body shall first determine that such lease, sale, donation, conveyance or appropriation will benefit the people of the county or municipality; to authorize the Authority to borrow money and to issue revenue bonds as evidence of money so borrowed, which bonds shall be payable solely from taxes payable to the Authority by act of the Legislature heretofore or hereafter adopted and from revenues of the Authority derived from the authorized activities, operation and enterprises; to authorize the Authority to mortgage its property to secure the payment of principal and interest due on said bonds; to authorize the Authority to

execute such contracts, documents and other instruments as it deems necessary to secure the payment of the principal and interest due on said bonds; to authorize the Authority to borrow money, to issue as evidence of its obligation to repay such money, its negotiable promissory notes and to provide the security for such notes and the refunding thereof by the issuance of notes or bonds; to provide for the Alcoholic Beverage Control Board to issue liquor licenses to the said civic center authority; to regulate the issuance of such licenses, the amount of license tax or fee payable therefor; to provide that pursuant to such license the Authority is authorized to keep and sell in its Civic Center, alcoholic, malt or vinous beverages and to further define "Authority" and "Civic Center"; to further provide for the financing for establishing, constructing, maintaining, and operating the said civic center by imposing and levying in Jefferson County a privilege or license tax on every person engaged in the county in the business of renting or furnishing any room or rooms, lodging or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings, or accommodations are rented or furnished for a consideration, and also a privilege or license tax on every person engaged in such county in the business of renting or furnishing space for the accommodations of trailers; and to provide for the levy, collection, manner of payment, and enforcement of an additional license tax on every person who sells, stores or delivers cigarettes or smoking tobacco in the county, for the purposes of financing the establishment, maintenance and operation of the said civic center; to provide the amount or rate of said taxes and certain exemptions therefrom; to provide for the method of collecting and enforcing said taxes; to provide for the collection of said taxes; to provide for the distribution of said taxes; to provide for a percentage of the taxes collected to be paid to the county for expenses incurred in the collection, enforcement and administration of said taxes; to express that the legislative intent of this act is to bring together all acts relating to the operation, construction, financing, and maintenance of the Birmingham Civic Center and the authority and powers of the Birmingham-Jefferson County Civic Center Authority; to provide that all taxes levied and all powers of the Authority shall continue except as herein amended; to expand the membership of the Board of Directors of the Authority to eleven; to define "Electoral College"; to further provide for notice of certain meetings and the definition of a quorum, terms of office and successors in office; to provide misdemeanor penalties for certain violations of the provisions of this act; and to provide for retroactive effect to March 19, 1982.

Committee on Local Legislation No. 2.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 983, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. Warren (With Notice and Proof):

H. 984. Relating to the election of County Commissioners in Conecuh County; to provide for the redistricting and reapportionment of the electors in Conecuh County; to provide for dividing Conecuh County into four (4) single-member Commissioner's Districts in 1984, and into five (5) single-member Commissioner's Districts beginning in 1988; to provide for the election of a Commissioner in each of said districts; to provide for the tenure of office of the Commissioners; to provide the compensation of the Commissioners so elected; to provide for the division and assignment of the voters

in all the Precincts and Voting Boxes in the county; to provide methods and procedures for effecting the assignment of the voters; to provide for the repeal of Act No. 2284 Regular Session of the 1971 Legislature and other laws inconsistent herewith; to provide for the payment of all expenses in connection with passage of this legislation and the assignment of voters in the proper Precincts and Voting Boxes in the county; and to provide that the provisions of this Act shall become effective immediately upon its passage.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 984, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. Warren (With Notice and Proof):

H. 985. To amend the title and Section 1 of Act No. 384, H. 829, Regular Session 1953 (Acts 1953, p. 455), which prohibits two members of the board of education of Conecuh County from residing in the same beat or precinct, so as to provide for two at-large appointed seats on the board for two years only, from 1984 to 1986, and to provide for the election of all school board members from five single-member districts beginning in 1986, with their terms running concurrently.

Committee on Local Legislation No. 1.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 985, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.

By Rep. Britnell:

H. 986. To repeal, abolish and prohibit any zoning law, ordinance or regulation which prohibits mentally retarded and mentally ill persons from living in a natural residential environment and further defining the term "single family residence" as it appears in zoning laws or ordinances to include certain groupings of mentally retarded or mentally ill persons.

Committee on Judiciary.

By Rep. Starr (With Notice and Proof):

H. 987. Relating to Montgomery County; providing further for the compensation of the judge of probate.

Committee on Local Legislation No. 4.

I HEREBY CERTIFY THAT THIS NOTICE & PROOF IS ATTACHED TO THE BILL, H. B. 987, AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JOHN W. PEMBERTON,  
Clerk.



RESOLUTIONS

The following resolutions were introduced:

By Rep. Gaston:

H. J. R. 334. COMMENDING THE MOBILE INFIRMARY.

WHEREAS, the Joint Commission on Accreditation of Hospitals, a private, non-profit organization which was created by and composed of health care professionals, surveyed Mobile Infirmary; and

WHEREAS, the Joint Commission on Accreditation of Hospitals is governed by representatives of the American College of Surgeons, the American College of Physicians, the American Dental Association, the American Hospital Association and the American Medical Association; and

WHEREAS, the Joint Commission on Accreditation of Hospitals promotes quality health care through establishing high standards, conducting on-site surveys of facilities and by awarding accreditation to facilities that meet the commission's demanding standards; and

WHEREAS, these standards are described as "optimal achievable" because they reflect the best of current thinking in the field with standards revised periodically to reflect new developments to keep the quality of care consistent with current knowledge, techniques and government regulations; and

WHEREAS, a Joint Committee on Accreditation of Hospitals survey team that included a physician, nurse, hospital administrator, and laboratory technologist visited and evaluated the performance of Mobile Infirmary, in twenty-four different areas, thereupon granting accreditation to said health care facility; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby congratulate and commend Mobile Infirmary on its 1984 accreditation by the Joint Commission on Accreditation of Hospitals, and for providing the optimal standard of care for the citizens of Alabama.

On the motion of Rep. Gaston, the rules were suspended and the resolution, H. J. R. 334, was adopted.

Also:

By Rep. Laird:

H. J. R. 335. COMMENDING MR. BOBBY C. BOLT OF DELTA, ALABAMA, STATE FFA'S FUTURE FARMER OF THE YEAR, 1984.

WHEREAS, the Alabama Legislature, in congratulatory commendation, notes the selection of Mr. Bobby C. Bolt of Delta, Alabama, as the State FFA Future Farmer of the Year for 1984; and

WHEREAS, this prestigious award was bestowed in recognition of Mr. Bolt's numerous school and community activities, FFA involvement and leadership ability; Mr. Bolt further was selected from among the State association's membership of some 25,000; and

WHEREAS, a graduate of Lineville High School, Mr. Bolt also attended both Southern Union Junior College and Jacksonville State University; he now is engaged in the operation of a cattle farm, assists with the

operation of his parents' 100,000 capacity broiler farm, and is a part-time bookkeeper; and

WHEREAS, as a high school and junior college honor student, Mr. Bolt was a member of the Senior Beta Club, Mu Alpha Theta mathematics honorary, member and captain of Lineville's Scholar Bowl Team, and member of Phi Theta Kappa; he further served on his high school's yearbook staff, student council, school Geometry and Algebra team and was senior class Salutatorian and Boy's State delegate; and

WHEREAS, in FFA involvement, Mr. Bolt has received innumerable recognitions of achievement including, among others, election to local FFA chapter office, convention delegate, the American Farmer Degree, state and regional Proficiency Awards and Dekalb's Agricultural Achievement Award; and

WHEREAS, Mr. Bolt, in concerned citizenship, is a member of the Randolph County and Alabama Cattlemen's Associations, Randolph and Clay Counties Poultry Associations, Alabama Beef Cattle Improvement Association, Alabama and American Angus Associations, Clay County Co-op, Randolph County Young Farmers, Delta Community Club, Mount Moriah Baptist Church and is an organizer of the Delta Volunteer Fire Department; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend Mr. Bobby C. Bolt for outstanding FFA achievement and community involvement, and direct that he receive a copy of this resolution in token of our sincere warm praise and esteem.

On motion of Rep. Laird, the rules were suspended and the resolution, H. J. R. 335, was adopted.

#### SPECIAL ORDER RESUMED

And the bill:

H. 851. Relating to Pike County; prohibiting private agencies, private groups, private corporations, partnerships, private associations, individuals and any and all other private entities from establishing, maintaining, or operating a correctional, rehabilitation, or juvenile detention facility in Pike County without first obtaining the approval of the county commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Biddle, Blakeney, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Carothers, Carter, Clark, (D), Clark (J), Clark (W), Coburn, Crow, Escott, Flowers, Ford, Goodwin, Hall, Hammett, Harvey, Hettinger, Johnson (Roy), Junkins, Kennedy, Lauderdale, Lindsey, McMillan, Mathis, Melton, Mikell, Moore, Newman, Onderdonk, Parker, Payne, Penry, Rice, Smith, Starkey, Starr, Tanner, Thomas, Turner, Turnham, Venable, White (F), White (L) and Zoghby.

—55

And the bill:

H. 879. (With Amendment): Relating to Macon County; to provide an

additional office expense allowance for the county director of pensions and security.

Was taken up.

H. 879 INDEFINITELY POSTPONED

On motion of Rep. Reed, the bill, H. 879, and the pending amendment were indefinitely postponed.

And the bill:

H. 890. (With Amendment): An Act, to alter, re-arrange and extend the boundaries and corporate limits of the City of Pelham, Alabama, so as to incorporate certain territory as described herein.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend H. 890, page 2, line 25, after the words "If a" by striking ~~majority~~ and inserting in lieu thereof majority

And the amendment was adopted.

Yeas 47; Nays 1.

Yeas:

Mr. Speaker, Albright, Beers, Biddle, Blakeney, Bowling, Box, Britnell, Brooks, Browder, Bryant, Burke, Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (W), Crow, Faulk, Goodwin, Grouby, Hall, Hammett, Harper, Kennedy, Lauderdale, Lindsey, McMillan, Mathis, Moore, Newman, Onderdonk, Parker, Penry, Rains, Reed, Rice, Starkey, Starr, Tanner, Thomas, Turner, Venable, Warren, White (F) and Zoghby.

—47

Nay: Rep. Payne

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill H. 890, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 45; Nays 0.

Yeas:

Mr. Speaker, Albright, Beers, Biddle, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Campbell, Carothers, Clark (D), Clark (W), Crow, Faulk, Fuller, Goodwin, Hall, Hammett, Harper, Hooper, Kennedy, Lauderdale, Lindsey, Mathis, Moore, Newman, Onderdonk, Parker, Rains, Reed, Rice, Starkey, Starr, Tanner, Thomas, Venable, White (F) and Zoghby.

—45

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill.

H. 908. To provide for an expense allowance for the Sheriff of Calhoun County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 49; Nays 0.

Yeas:

Mr. Speaker, Albright, Biddle, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (W), Coleman, Crow, Fuller, Goodwin, Grouby, Hall, Harper, Hooper, Johnson (Roy), Kennedy, Laird, Lauderdale, Lindsey, Mathis, Mikell, Moore, Newman, Onderdonk, Parker, Rains, Reed, Rice, Richardson, Starkey, Starr, Tanner, Thomas, Turnham, White (F) and Zoghby.

—49

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 909. Relating to the 3rd Judicial Circuit of Alabama; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Albright, Biddle, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (J), Clark (W), Crow, Ford, Goodwin, Hall, Harper, Harvey, Hettinger, Hooper, Johnson (Roy), Kennedy, Lauderdale, Lindsey, Mathis, Mikell, Moore, Newman, Onderdonk, Parker, Rains, Reed, Rice, Smith, Starkey, Starr, Tanner, Thomas, Turner, Turnham, White (F) and Zoghby.

—50

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 911. Relating to Coffee County; providing for a supplement to the compensation of the circuit clerk in Coffee County beginning October 1, 1985, and payable from the general fund of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Biddle, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (W), Crow, Escott, Faulk, Fuller, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Holley, Hooper, Johnson (Roy), Kvalheim, Lauderdale, Lindsey, Mathis, Mikell, Moore, Newman, Onderdonk, Parker, Rains, Rice, Richardson, Smith, Starkey, Starr, Tanner, Thomas, Turnham, Venable, Warren, White (F) and Zoghby.

—54

And the bill:

H. 929. Relating to Bullock County; providing for the compensation of the Judge of Probate retroactively to January 1, 1983.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Beers, Biddle, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (W), Crow, Faulk, Ford, Fuller, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Lindsey, Mathis, Mikell, Newman, Onderdonk, Parker, Rice, Richardson, Starkey, Starr, Tanner, Thomas, Turner, Venable, Warren, White (F) and Zoghby.

—56

And the bill.

H. 930. Relating to Bullock County; to provide for a parttime secretary-office manager for the county legislative delegation; to provide office space for said official.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Beers, Biddle, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (W), Crow, Escott,

Faulk, Ford, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Lindsey, Marietta, Mathis, Newman, Onderdonk, Parker, Rice, Richardson, Sasser, Starkey, Tanner, Thomas, Venable, Warren, White (F), White (L) and Zoghby.

—57

And the bill:

H. 931. To propose an amendment to the Constitution of Alabama of 1901, to extricate the judge of probate in Macon County, Alabama, from a certain age restriction on eligibility to hold such office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

*Yeas:*

Mr. Speaker, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Escott, Faulk, Ford, Fuller, Gaston, Goodwin, Grayson, Grouby, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Johnson (R.G.), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, McNair, Marietta, Mathis, Melton, Mikell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Pratt, Reed, Rice, Richardson, Rogers, Sasser, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, White (G), White (L) and Zoghby.

—79

And the bill:

H. 932. Relating to Bullock County; to legalize the sale of draft or keg beer or malt beverages.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 2.

*Yeas:*

Reps.: Albright, Biddle, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (W), Crow, Davis, Escott, Faulk, Gaston, Goodwin, Grayson, Hall, Hammett, Harper, Hettinger, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, Marietta, Mathis, Melton, Mikell, Moore, Newman, Onderdonk, Reed, Rice, Richardson, Starkey, Tanner, Thomas, Turner, Venable, Warren, White (L) and Zoghby.

—55

*Nays:* Mr. Speaker and Parker.

—2

And the bill:

H. 731. Relating to Madison County; authorizing the Sheriff to charge

a fee for fingerprinting certain persons and providing for the distribution and auditing of such fees and repealing Act Number 82-375 of the 1982 Alabama Legislature.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 53; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Biddle, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Carothers, Clark (D), Clark (W), Crow, Davis, Escott, Faulk, Goodwin, Grayson, Grouby, Hall, Hammett, Hettinger, Hooper, Horn, Junkins, Lauderdale, Lindsey, McMillan, Mathis, Newman, Nicholson, Onderdonk, Parker, Payne, Rice, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Venable, Warren, White (F) and Zoghby.

—53

#### MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Hettinger to suspend the rules in order to take up out of order the bill, H. 865, was lost.

And the bill.

H. 358. Relating to Houston County; providing for election of the associate members of the county commission from districts to be defined on a population basis by the present commission upon referendum approval by the electors of Houston County.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend H. B. 358, Section 1, page 1, line 20, after the word "into", by inserting the following:

four (4)

Also, in Section 1, page 1, line 26, after the word "commission", by inserting the following:

and the associate members

And the amendment was adopted.

Yeas 40; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Blake, Bowling, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (John), Carothers, Clark (D), Clark (J), Clark (W), Davis, Escott, Faulk, Fuller, Gaston, Goodwin, Grayson, Hall, Hettinger, Kennedy, Kvalheim, Laird, Lindsey, McMillan, Mathis, Mikell, Onderdonk, Parker, Rice, Richardson, Starkey, Tanner, Thomas, Turner and Zogby.

—40

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was quorum present.

The Clerk reported that there was quorum present.

And the bill, H. 358, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 41; Nays 0.

Yeas:

Mr. Speaker, Biddle, Blake, Box, Britnell, Brooks, Browder, Bryant, Burke, Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (W), Crow, Davis, Escott, Faulk, Fuller, Gaston, Goodwin, Grayson, Harper, Harvey, Hettinger, Horn, Kennedy, Kvalheim, Laird, Lindsey, McMillan, Mathis, Rice, Richardson, Starkey, Tanner, Thomas, Trammell, Turner and Zoghby.

—41

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 915. (With Amendment): Proposing an amendment to the Constitution of 1901, relating to additional ad valorem tax in Wilcox County.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend H. B. 915, page 2, Section 1, beginning at line 3 by striking the number 4 and inserting in lieu thereof the following: 5

Further amend H. B. 915, page 2, Section 1, beginning at line 4 by striking the number 4 and inserting in lieu thereof the following: 3

And the amendment was adopted.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker, Albright, Biddle, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Butler, Clark (D), Clark, (J), Clark (W), Crow, Davis, Escott, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Hettinger, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McDowell, McMillan, McNair, Melton, Mikell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Rains, Rice, Rogers, Sasser, Starkey, Tanner, Thomas, Trammell, Turner, Warren, White (F), White (L) and Zoghby.

—62

And the bill, H. 915, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.



Yeas 82; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Bachus, Biddle, Black, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Clark (D), Clark (J), Clark (W), Coburn, Crow, Davis, Escott, Faulk, Flowers, Fuller, Gaston, Goodwin, Grayson, Grouby, Hall, Harvey, Hettinger, Holley, Holmes, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Rains, Reed, Rice, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Warren, White (F), White (L) and Zoghby.

—82

And the bill:

H. 917. Relating to Houston County; providing further for the compensation of poll workers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 50; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Biddle, Blake, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Carothers, Clark (D), Clark (J), Clark (W), Coburn, Crow, Gaston, Goodwin, Grouby, Hall, Harvey, Hettinger, Holley, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, Marietta, Mathis, Moore, Onderdonk, Parker, Poole, Rains, Richardson, Smith, Spratt, Starkey, Trammell, Turner, Warren, White (F) and Zoghby.

—50

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 918. (With Amendment): Relating to the City of Dothan in Houston County; amending Act No. 79-537, H. 927, 1979 Regular Session, which prescribes the form of government for the City of Dothan, so as to provide further for the elections, salaries, payment of vouchers, designation of Acting Mayor, and deletes the bond recording fee.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend H. B. 918 on page 4, Section 23(b), line 12 by striking after the word "are" the word ~~qualified~~ and inserting in lieu thereof the following:

qualified

And the amendment was adopted.

Yeas 51; Nays 0.

Yeas:

Mr. Speaker, Albright, Bachus, Biddle, Blake, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Clark (D), Clark (J), Clark (W), Coburn, Davis, Fuller, Gaston, Goodwin, Hall, Hettinger, Holley, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Lindsey, Mathis, Moore, Nicholson, Onderdonk, Parker, Penry, Poole, Rains, Rice, Richardson, Smith, Spratt, Starkey, Tanner, Trammell, Turner, Warren, White (L) and Zoghby.

—51

### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill H. 918, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker, Albright, Biddle, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Clark (D), Clark (W), Coburn, Crow, Davis, Gaston, Goodwin, Grouby, Hall, Harper, Harvey, Hettinger, Holley, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Lindsey, Mathis, Moore, Nicholson, Parker, Penry, Poole, Rains, Rice, Richardson, Smith, Spratt, Starkey, Tanner, Thomas, Trammell, Turner, Warren, White (F) and Zoghby.

—56

And the bill:

H. 950. To provide for the City of Weaver in Calhoun County, a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the city's defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

Was taken up.

### AMENDMENT OFFERED

Rep. Browder offered the following amendment to the bill, H. 950:

Amend H. B. 950, page 2, Section 3, line 8, after the word "thereof" by changing the period to a semicolon and adding the following:

(g) any volunteer or utility labor employed on a part time basis.

Further amend H. B. 950, page 4, Section 11, line 33, after the word "at" by inserting the following:

the

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Further amend H. B. 950, page 9, Section 14. (b), line 13 after the word "and" by striking ~~conclusive~~ inserting in lieu thereof the following: conclusive

And the amendment was adopted.

Yeas 48; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Biddle, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Carothers, Clark (D), Clark (W), Crow, Davis, Gaston, Grouby, Hall, Harper, Harvey, Hettinger, Johnson (Roy), Kennedy, Kvalheim, Lindsey, Mathis, Moore, Onderdonk, Parker, Poole, Rains, Rice, Richardson, Smith, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Warren, White (L) and Zoghby.

—48

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 950, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Biddle, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (W), Crow, Davis, Dutton, Fuller, Gaston, Goodwin, Grouby, Hall, Harper, Harvey, Hettinger, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Mathis, Moore, Parker, Pendry, Poole, Rains, Rice, Richardson, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Warren, White (L) and Zoghby.

—56

And the bill:

H. 922. Relating to Chilton County; authorizing the county commission to enter contracts for computerized recordkeeping and filing.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Bachus, Biddle, Blake, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (W), Crow, Davis, Dutton, Faulk, Fuller, Gaston, Goodwin, Grouby, Hall, Harper, Harvey, Hettinger, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Mathis, Moore, Nicholson, Onderdonk, Parker, Penry, Poole, Rains, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Warren, White (G) and Zoghby.

—58

And the bill:

H. 925. Relating to Autauga County; granting discretionary authority to each member of the county commission to assume certain additional duties heretofore performed by a district county commission foreman and prescribing the annual salaries of the members of the county commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 1.

*Yeas:*

Mr. Speaker, Albright, Bachus, Biddle, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Crow, Davis, Dutton, Fuller, Gaston, Goodwin, Grouby, Hall, Harper, Harvey, Hettinger, Hooper, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, McMillan, Mathis, Moore, Nicholson, Onderdonk, Parker, Penry, Poole, Rains, Richardson, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Warren, White (G), White (L) and Zoghby.

—59

*Nay:* Rep. Rice.

—1

And the bill:

H. 926. Relating to Wilcox County; to provide reasonable compensation for the Wilcox County School Board Members.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Bachus, Blake, Blakeney, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (J), Clark (W), Crow, Davis, Dutton, Faulk, Fuller, Gaston, Goodwin, Hall, Harper, Harvey, Hettinger, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, McMillan, Mathis, Moore, Nicholson, Onderdonk, Parker, Penry, Poole, Rains, Rice, Richardson, Rogers, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Warren, White (G), White (L) and Zoghby.

—61

And the bill:

H. 927. Relating to Chambers County; amending Act No. 80-418, H. 979, 1980 Regular Session, which provides for license fees on mobile homes, so as to provide further for the distribution of said fees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 52; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Bachus, Blake, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Clark (D), Crow, Davis, Dutton, Faulk, Fuller, Gaston, Goodwin, Hall, Harper, Hettinger, Hooper, Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Mathis, Moore, Nicholson, Parker, Penry, Poole, Rains, Rice, Spratt, Starkey, Tanner, Thomas, Trammell, Turner, Warren, White (G), White (L) and Zoghby.

—52

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 942. Relating to the City of Cullman in Cullman County; to validate, in certain cases, annexations heretofore held by the City of Cullman.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Blake, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (J), Clark (W), Crow, Dutton, Faulk, Gaston, Goodwin, Hall, Harper, Harvey, Hettinger, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Mathis, Nicholson, Parker, Penry, Perdue, Poole, Rains, Reed, Rice, Richardson, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Warren, White (G), White (L) and Zoghby.

—58

And the bill:

H. 943. Relating to Cleburne County; to create a license-issuing division within the probate judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the probate judge's office; and to transfer certain duties now performed by the tax assessor and tax collector to said probate office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Blake, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (J), Clark (W), Crow, Dutton, Faulk, Gaston, Goodwin, Hall, Harper, Harvey, Hettinger, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Lindsey, Mathis, Nicholson, Parker, Penry, Perdue, Poole, Rains, Reed, Rice, Richardson, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Warren, White (F), White (G), White (L) and Zoghby.

—60

And the bill:

H. 946. (With Amendment): To amend Article III of Act 404, S. 430, Regular Session 1953 (Acts of Alabama 1953, p. 472), as amended, so as further provide for the election of the Council of the City of Anniston.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend H. B. 946, page 2, Section 1, line 24 after the word "having" by striking share and inserting in lieu thereof the following: charge

Further amend H. B. 946, page 4, Section 1, line 12, after the word "a" by striking vacancy and inserting in lieu thereof the following: vacancy

And the amendment was adopted.

Yeas 57; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (W), Crow, Dutton, Fuller, Gaston, Goodwin, Grayson, Hall, Hettinger, Hooper, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Mathis, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Rains, Reed, Rice, Richardson, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—57

And the bill, H. 946, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Bachus, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (W), Crow, Dutton, Fuller, Gaston, Goodwin, Grayson, Hall, Hammett, Hettinger, Hooper, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Mathis, Nicholson, Onderdonk, Parker,

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—55

And the bill:

H. 948. Relating to the fees and expense allowances for the Coroner of Henry County, Alabama, payable from the county treasury; and making such fees and expense allowances retroactive to October 1, 1983.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Carothers, Clark (D), Clark (W), Crow, Dutton, Fuller, Gaston, Goodwin, Hall, Hammett, Hettinger, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Mathis, Nicholson, Parker, Penry, Poole, Rains, Reed, Rice, Richardson, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Venable, Warren, White (G) and Zoghby.

—55

And the bill:

S. 153. To permit banks now or hereafter situated in Chambers County to establish, maintain or operate branch banks and branch offices within said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 51; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Clark (D), Clark (W), Crow, Dutton, Gaston, Goodwin, Hall, Hammett, Hettinger, Hooper, Kennedy, Kvalheim, Laird, Lauderdale, McMillan, Mathis, Nicholson, Onderdonk, Parker, Penry, Rains, Reed, Richardson, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—51

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 724. To provide for the establishment of a uniform plan of health insurance for local governmental employees and, under certain conditions, retired employees, of employers participating in the employees' retirement system of Alabama under the provisions of Section 36-27-6, Code of Ala-

bama 1975, as amended; to provide for the creation of the Local Employees' Health Insurance Board, its membership, terms, authority, responsibilities, powers, and duties; to prescribe the coverage which may be provided by said Board and the method of funding the cost of said coverage; and to further provide that the Board, upon certain findings, may develop a plan of self insurance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Black, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Crow, Davis, Dutton, Fuller, Gaston, Goodwin, Gray, Grayson, Hall, Hammett, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, Mathis, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Perdue, Poole, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—73

And the bill:

H. 487. To amend appropriation provisions for the Alabama Commissioners on Uniform State Laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 1.

Yeas:

Mr. Speaker, Adams, Albright, Black, Blake, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Crow, Davis, Dutton, Flowers, Gaston, Goodwin, Gray, Grayson, Hall, Hammett, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Mathis, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Venable, White (F), White (L) and Zoghby.

—69

Nay: Rep. Payne.

—1

And the bill:

H. 727. To provide for the payment of an expense allowance to members of the board of directors of any Waterworks or Sewer Board heretofore or hereafter organized pursuant to the statute now codified as Sections 11-50-230 to 241, Code of Alabama 1975.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.



Yeas 73; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Black, Blake, Blakeney, Boles, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Flowers, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Mathis, Newman, Nicholson, Parker, Perdue, Poole, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—73

And the bill:

H. 146. To amend Section 40-12-49, Code of Alabama 1975, relating to license tax levied on attorneys, so as to increase the amount of said tax.

Was taken up.

#### SUBSTITUTE OFFERED

Rep. Campbell offered the following substitute to the bill, H. 146:

#### A BILL TO BE ENTITLED AN ACT

To amend Section 40-12-49, Code of Alabama 1975, relating to license tax levied on attorneys, so as to increase the amount of said tax and to remove certain tax exemptions.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 40-12-49. Each attorney engaged in the practice of law shall pay an annual license tax of \$100.00 \$150.00 to the state, but none to the county. If such business is conducted as a firm or as a corporation in which more than one lawyer is engaged, each lawyer shall pay such license tax, ~~but no lawyer shall be required to pay a license tax until the first day of October following the expiration of two years from his admission to the bar.~~ The funds collected for the issuance of the license tax herein levied shall constitute a separate fund to be disbursed by the comptroller on the order of the board of commissioners of the Alabama state bar. As soon after the first day of each year as practicable, the state treasurer shall certify to the secretary of the board of commissioners of the Alabama state bar the names of attorneys who have paid such license fee, and the judge of probate of each county shall certify to the presiding judge of the circuit court having jurisdiction in such county the names of attorneys who have paid such license fee."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 57; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Blake, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Gaston, Goodwin, Hall, Hammett, Hettinger, Hooper, Johnson (R.G.), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, Mathis, Moore, Newman, Nicholson, Parker, Poole, Preuit, Rains, Rice, Richardson, Sasser, Smith, Spratt, Starr, Tanner, Thomas, Turner, Turnham, White (F), White (L) and Zoghby.

—57

And the bill:

H. 146. To amend Section 40-12-49, Code of Alabama 1975, relating to license tax levied on attorneys, so as to increase the amount of said tax and to remove certain tax exemptions.

As thus amended, was read a third time at length, passed and ordered engrossed.

Yeas 75; Nays 3.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Black, Blake, Blakeney, Boles, Bowling, Britnell, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Crow, Davis, Dutton, Escott, Ford, Fuller, Gaston, Goodwin, Gray, Hall, Harvey, Hettinger, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Preuit, Rains, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Tanner, Thomas, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—75

Nays: Reps.: Brooks, Flowers and Pratt.

—3

And the bill:

H. 947. To amend Sections 40-17-38 and 40-17-221, Code of Alabama 1975, which provide for discounts on motor fuel taxes allowed to distributors, so as to provide further for said discounts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Blake, Blakeney, Boles, Box, Brakefield, Britnell, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (J), Clark (W), Cosby, Crow, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Gray, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lindsey, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Nicholson, Onderdonk, Payne,

Penry, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G) and Zoghby.

—77

The following resolutions were introduced:

By Rep. Butler:

H. J. R. 336. COMMENDING MR. HERBERT CLAYTON BATT OF HUNTSVILLE, ALABAMA, FOR OUTSTANDING PROFESSIONAL AND COMMUNITY SERVICE.

WHEREAS, a prominent Huntsville, Alabama pharmacist, Mr. Herbert Clayton Batt is a graduate of Howard College, Birmingham, with the B.S. degree in pharmacy; he is a member of the American Pharmaceutical Association and a member and past president of both the Madison County and Alabama Pharmaceutical Associations; and

WHEREAS, he further professionally serves as adjunct faculty member of the Auburn University School of Pharmacy where he gave the "Recognition of Seniors" address at the 1981 graduation, and he was an Alabama Pharmaceutical Association delegate to the American Pharmaceutical Association in 1971; and

WHEREAS, among numerous of Mr. Batt's honors and recognitions of achievement are the 1969 Bowl of Hygeia award for service and the Auburn University Phi Lambda Sigma Leadership Award in 1978; and

WHEREAS, Mr. Batt's community involvements, both past and present, are numerous as well and include such areas as P.T.A., Chamber of Commerce, Sertoma, Mental Health and Family Counseling Associations, the Huntsville Industrial Expansion Committee, United Givers Fund, Little League, Youth Services, Inc., Planned Parenthood, YMCA, Family Services Center, public health and drug abuse, among others; in many of these organizations and areas, Mr. Batt served in capacities such as director, officer and committee chairmanship; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we herein most highly commend Mr. Herbert Clayton Batt of Huntsville, Alabama, both for extraordinary professional achievement and outstanding community service.

BE IT FURTHER RESOLVED, That a copy of this resolution be provided for Mr. Batt that he may be aware of our sincere praise and warm personal regard.

On motion of Rep. Butler, the rules were suspended and the resolution, H. J. R. 336, was adopted.

Also:

By Reps. Nicholson, Adams, Albright, Bachus, Beers, Biddle, Black, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Drake, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin,

Mathis, Melton, Mikell, Mitchell, Moore, Newman, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby:

H. J. R. 337. CONGRATULATING MR. AND MRS. ROGER DUTTON ON THE BIRTH OF A DAUGHTER, KATIE SCARLETT.

WHEREAS, the Alabama Legislature extends heartiest congratulations to Mr. and Mrs. Roger D. Dutton of Trinity, Lawrence County, Alabama, on the birth of a daughter, Katie Scarlett, April 27, 1984; and

WHEREAS, little Katie Scarlett, who weighed 7 pounds and 14 ounces at birth, is truly a gift of joy for our good friend and colleague, Representative Roger Dutton, and his lovely wife, Donna; and

WHEREAS, though Katie Scarlett has increased the population of Lawrence County by one, she is the Dutton's first child and has therefore increased the size of her family by one third, and has also appropriated proud papa's position as head of the household; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby extend heartiest congratulations to Donna and Roger Dutton, the proud parents of Katie Scarlett Dutton, born April 27, 1984.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Mr. and Mrs. Dutton with a copy also provided for Katie Scarlett that she may later know of the happiness and joy we shared with her parents in her birth.

On motion of Rep. Nicholson, the rules were suspended and the resolution, H. J. R. 337, was adopted.

#### SPECIAL ORDER RESUMED

And the bill:

H. 611. (With Substitute): To establish the "Forestry Improvement Act of 1984" and a State Forestry Improvement Program for the purposes of improving Alabama forestland and forestry development, and the manner of application thereof; to provide definitions, the powers, duties, and authority of the Alabama Forestry Commission relative to this program; to create the "Forestry Improvement Fund" and provide for the manner for depositing to, and making appropriations from, such funds; to make certain appropriations from the net proceeds collected and deposited from the severance of forest products and the processing or manufacturing of forest products; to levy additional severance taxes to those taxes levied by Sections 9-13-81 and 9-13-82 (a) and (b) of the Code of Alabama 1975, which also provides for privilege taxes levied on the severer and processor or manufacturer of timber; to provide for certain duties of the Alabama department of revenue relative to the collection of revenues generated by such taxes and the maximum fee for such service; to provide for a committee of forest landowners and industry representatives to advise the Alabama Forestry Commission as to the implementation of such program; to authorize the Alabama Forestry Commission to secure any federal, state or local funds, grants or money; to authorize the local governments to appropriate or grant funds or money to the said commission for the program; and to provide for their duties and powers.

Was taken up.

SUBSTITUTE OFFERED

Rep. Faulk offered the following substitute to the bill, H. 611, and to the pending substitute reported by the Standing Committee on Natural Resources:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Sections 9-13-82, 9-13-84 and 9-13-85, Code of Alabama 1975, which relate to forests and forest products, tax levies, distribution of such levies, and provides for the appropriation of such funds, so as to establish the "Forestry Improvement Act of 1984" and a State Forestry Improvement Program for the purposes of improving Alabama forestland and forestry development, and the manner of application thereof; to provide the powers, duties and authority of the Alabama Forestry Commission relative to this program; to create the "Forestry Improvement Fund" and provide by amendment for the manner of depositing taxes collected to such fund; to provide for a committee of forest landowners and industry representatives to advise the Alabama Forestry Commission as to the implementation of such program and to provide for expenses of such committee; to authorize the Alabama Forestry Commission to secure any federal, state or local funds, grants or money; to authorize the local governments to appropriate or grant funds or money to the said commission for the program; to provide for their duties and powers; to make certain appropriations from the net proceeds collected and deposited from the severance of forest products and the processing or manufacturing of forest products; and to further amend the rates of severance and processor taxes levied by Section 9-13-82(a) and (b) of the Code of Alabama 1975, and the percentage of funds expended in counties under Section 9-13-85.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 9-13-82, 9-13-84 and 9-13-85, Code of Alabama 1975, are hereby amended to read as follows:

"§ 9-13-82.

"(a) The measure of the tax is at the following rates:

"(1) On pine lumber, ~~\$0.20~~ \$0.40 per 1,000 feet board measure lumber tally. Where the timber is sold as logs and is not converted into lumber in Alabama, the rate shall be ~~0.30~~ \$0.60 per 1,000 feet log scale (Doyle rule) except that logs under eight inches in diameter inside the bark at the small end shall be scaled as containing one foot log scale for each foot of length.

"(2) On hardwood, cypress and all other species of lumber, ~~\$0.12~~ \$0.24 per 1,000 feet board measure lumber tally. Where the timber is sold as logs and is not converted into lumber in Alabama, the rate shall be ~~\$0.20~~ \$0.40 per 1,000 feet log scale (Doyle rule) except that logs under eight inches in diameter inside the bark at the small end shall be scaled as containing one foot log scale for each foot of length.

"(3) On pulpwood, chemical wood and bolts ~~\$0.10~~ \$0.20 per standard cord of 128 cubic feet.

"(4) On crossties, six tenths of ~~\$0.01~~ \$0.02 per piece and on switch ties, ~~\$0.01~~ \$0.02 per piece.

"(5) On mine ties and coal mine props, \$0.95 \$0.10 per 100 pieces.

"(6) On pine ore mine props, \$0.30 \$0.60 per 1,000 feet log scale (Doyle rule) and on hardwood ore mine props, \$0.20 \$0.40 per 1,000 feet log scale (Doyle rule) except that props under eight inches in diameter at the small end shall be scaled as containing one foot log scale for each foot of length. In lieu of the foregoing schedule of taxes on ore mine props, the taxpayer may elect to pay the taxes due thereon at the rate \$1.25 \$2.50 per 1,000 lineal feet regardless of species.

"(7) On piling, ~~three-fourths of one~~ and one-half percent on invoice value at loading out point which shall be based on the amount paid for the pilings at the stump.

"(8) On poles ~~one-half of one~~ percent on invoice value at loading out point which shall be based on the amount paid for the poles at the stump.

"(9) On turpentine (crude gum), \$0.96 \$0.12 per barrel of 400 pounds.

"(10) On stumpwood (tarwood), \$0.05 \$0.10 per ton (2,000 lbs.).

"(11) On pulpwood chips, \$0.10 \$0.20 per cord of a standard cord of 5,000 lbs.

"(b) There is also levied a privilege tax against the processor of the forest products or the manufacturer using the forest products in an amount equal to 50 percent of the tax on the severer as set out above. Said privilege tax shall be collected in the same manner as the severance tax on the severer is collected. This tax is levied not only upon processors or manufacturers within this state but also upon out-of-state processors or manufacturers who obtain the timber within this state and ship it outside the state for completion of the manufacturing process. It is the legislative intent that this privilege tax is not to be levied in any manner upon the person owning the land from which the forest products are severed nor upon the person actually cutting the forest products but it is levied upon the processor processing the forest products or manufacturer using the forest products.

"(c) Round wood pulpwood on which the tax has been paid shall not be subject to an additional tax when converted into chips, but the additional tax levied by subsection (b) of this section shall be paid by the person, firm or corporation utilizing the chips in a manufacturing process. The taxes or revenue collected by virtue of this act shall remain in said 'Special State Forestry Fund' and 'Forestry Improvement Fund,' as hereafter provided, until used for their designated purposes.

"§ 9-13-84.

"(a) The taxes imposed by this article shall be due and payable quarterly to the State Department of Revenue and shall, when collected, be paid by such department into the state treasury. When so paid into the state treasury, all such taxes shall be credited by the treasurer to a special fund which is hereby created and which shall be known as the Special State Forestry Fund of the State of Alabama, which fund shall be disbursed under the supervision of the ~~commissioner of conservation and natural resources~~ state forester, subject to the restrictions embodied in this article, for the purpose of carrying out the state's general forestry program as provided by law and for no other or different purposes, and further provided that one million dollars (\$1,000,000) of such taxes shall be credited or deposited to the Forestry Improvement Fund, established by this article, to be used solely for the purpose of such fund.

"Not less than 85 percent of the taxes collected under and by virtue of this article shall be expended for forest protection. No portion of such fund taxes imposed and collected shall revert to the general fund of the state at the end of any fiscal year, and any surplus shall be allowed to accumulate from year to year and be disbursed as exigencies of the state's forestry program may require.

"There is hereby continuously appropriated the receipts from the taxes levied in this article to the Department of Conservation and Natural Resources for the use of the state Forestry Commission Alabama Forestry Commission as herein set out. Such amount of money as shall be appropriated for each fiscal year by the legislature to the Department of Revenue with which to pay the salaries, the cost of operation and the management of the said department shall be deducted, not to exceed 5 percent of the total revenues collected, as a first charge thereon, from the taxes collected under and pursuant to said article; provided, however, that the expenditure of said sum so appropriated shall be budgeted and allotted pursuant to article 4 of chapter 4 of Title 41 of this Code and limited to the amount appropriated to defray the expenses of operating said department for each fiscal year.

"(b) There is further hereby created in the State Treasury a special fund to be designated the 'Forestry Improvement Fund,' the fiscal management and responsibility for which is hereby vested in the Commission, and in which shall be placed that portion of the taxes collected on timber and timber products as may be authorized by subsection (a) above.

"(c) 'Forestry Improvement Fund' shall mean that special fund established by this act and administered and supervised by the Alabama Forestry commission for the purposes of making deposits therein, or having deposits made therein, and for making distributions or expenditures therefrom of the funds collected. 'State Forester' shall mean the forester appointed by the Alabama Forestry Commission. The Alabama Forestry Commission shall serve as administrator of all provisions of this act and shall serve as the disbursing agency for funds to be expended from and deposited to the credit of the 'Forestry Improvement Fund.'

"(d) The Alabama Forestry Commission shall adopt and promulgate such reasonable rules and regulations as are necessary for the implementation of this act with the advice and consent of an advisory committee herein authorized. The committee shall be composed of members appointed by the Governor of the State of Alabama in the following manner: four members shall be selected from eight names submitted by the Alabama Forestry Association; four members shall be selected from eight names submitted by the Alabama Farm Bureau Federation; and in addition one ex officio member from the Soil Conservation Service shall be appointed by the State Conservationist; and one ex officio member from the Cooperative Extension Service shall be appointed by the Director of the Cooperative Extension Service. The terms of office for the members shall be for four years; provided, however, that for the first original two members, selected from the names submitted by each the Alabama Forestry Association and the Alabama Farm Bureau, and the first member who serves as the ex officio member from the Cooperative Extension Service the original appointments shall be for six years and all other original appointments shall be for a period of four years. Whenever a vacancy occurs for any reason whatsoever the original appointing authority shall appoint the successor in office who shall serve the remainder of the term. Within 30 days after the members have been appointed, the advisory committee shall meet and elect officers and a chairman and co-chairman from among its members. It shall adopt rules to con-

duct its affairs of business and to formulate its procedure for implementing the provisions of this act. Members shall be reimbursed actual and necessary expenses upon approval of the chairman. The said committee may otherwise seek the advice, counsel and recommendations of interested owners, associations, industrialists or other persons or groups in developing and administering the program herein established. The Commission shall publish any and all rules and regulations adopted hereunder and shall make the same available upon request to interested persons.

“(e) The Alabama Forestry Commission is hereby authorized to use the money in the ‘Forestry Improvement Fund’ to assist private landowners in the planting or replanting of tree seedlings, and for forest fire prevention and suppression on timberlands in the State of Alabama and for such other forestry improvement purposes or projects as may be recommended by the advisory committee to assist the owners of timberlands in the state. The Alabama Forestry Commission shall actively and diligently encourage all timber owners to use their own resources or to employ other available resources to supplement this program. All money, funds, services rendered or seedlings given or granted to any landowner or participant under this program shall be exempt from Alabama State income tax provisions.

“(f) The Commission and appointed advisory committee shall have the following powers and duties to implement the provisions of this act:

“(i) To determine which approved forestry practices shall be eligible for assistance;

“(ii) To establish maximum assistance, subject to the provisions of Section 3(g) of this act, which any one (1) eligible owner may receive for implementation of an approved practice.

“(iii) Upon request of the commission or state forester, the Attorney General of the State of Alabama shall institute proper legal proceedings to recover any or all of the assistance provided an eligible owner, if the Commission shall determine that the owner failed to implement any portion of or all of the practice approved by the Commission for such owner and if the Commission determines that legal proceedings are necessary and proper.

“(iv) To determine, before approving any assistance for any eligible owner that such approved practice is reasonable and is comparable to the actual cost of implementing such practice in the general area in which the land is located. Should the Commission determine that the amount of assistance needed to implement the approved practice is not reasonable, the Commission shall approve assistance only in an amount which is determined by the Commission to be reasonable for the implementation of the approved practice in the general area in which the land is located.

“(g) An eligible owner may receive assistance as the Commission and the advisory committee, in its discretion, shall determine and approve. Eligible owner shall mean a person as defined in this act; provided, however, only one (1) owner of land owned in joint tenancy or tenancy in common and only one (1) member or officer of any group or association shall be eligible to apply for or receive assistance to be expended for development of any or all eligible lands owned by the owners or group or association. Major forest industries may be defined and excluded from eligibility by the Commission, within its discretion, to insure that the funds provided herein will be used by and made available to private landowners.



"The percentage of the funds expended under this article for forest protection for the protection of farm forest lands shall not be less than the percentage that the area of the farm forest lands of the state is of the total area of the forest lands of the state. The percentage of the funds expended under this article for each four-year period for the forest protection in any county shall not be less than 50 30 percent of the amount of the tax collected on forest products severed from the soil in such county together with the equal portion of any available matching funds."

Section 5. The provisions of the act are cumulative and shall not be construed to repeal or supersede any laws not directly inconsistent herewith; provided, however, those laws or parts of laws which are in direct conflict are specifically repealed only to the extent there is such conflict.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. The provisions of this act shall be effective October 1, 1984, and shall continue thereafter for each fiscal year.

#### SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 64; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Blakeney, Bowling, Box, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Campbell, Carter, Clark (D), Clark (J), Clark (W), Coburn, Crow, Dutton, Escott, Flowers, Ford, Gaston, Goodwin, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lindsey, McMillan, Martin, Mikell, Mitchell, Moore, Newman, Nicholson, Penry, Poole, Pratt, Rains, Reed, Richardson, Sasser, Smith, Spratt, Starkey, Starr, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—64

#### MOTION TO POSTPONE TABLED

On motion of Rep. Faulk, the motion offered by Rep. Onderdonk to temporarily postpone the bill, H. 611 as amended, was tabled.

Yeas 53; Nays 17.

*Yeas:*

Reps.: Adams, Albright, Beers, Blake, Bowling, Brakefield, Britnell, Bryant, Burke, Carothers, Carter, Clark (D), Clark (J), Coburn, Cosby, Flowers, Ford, Goodwin, Grayson, Hammett, Harvey, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Laird, Lauderdale, Lindsey, McMillan, Martin, Mathis, Mikell, Mitchell, Newman, Nicholson, Parker, Payne, Penry, Poole, Preuit, Rains, Rice, Richardson, Sasser, Smith, Spratt, Starkey, Starr, Thomas, Venable, Warren, White (F) and White (L).

—53

*Nays:*

Reps.: Boles, Brooks, Bugg, Buskey (James), Clark (W), Crow, Escott,

Gaston, Harper, Horn, Kennedy, Kvalheim, McDowell, Marietta, Melton, Onderdonk and Perdue.

—17

## MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 12. To prohibit the acts of shooting or discharging a firearm, explosive or other weapon which discharges a dangerous projectile into any occupied or unoccupied dwelling or building or railroad locomotive or railroad car, aircraft, automobile, truck or watercraft and to prescribe felony punishment for such acts.

Also:

S. 129. To prescribe certain qualifications for persons representing themselves to the public as dietitians, nutritionists or registered dietitians or other similar titles; and to prescribe penalties for violations of this Act.

Also:

S. 201. Relating to the promotion of the production, research, distribution, marketing, use, improvement and sale of soybeans and soybean products; to amend Section 2-8-89 of the Code of Alabama 1975, to provide that the assessment levied upon the sale of soybeans shall not exceed two cents per net bushel after deductions for foreign material on any soybeans sold by producers.

Also:

S. 418. To amend Sections 41-7-1 and 41-7-5, Code of Alabama 1975, which established the bureau of publicity and information, so as to change the name to the bureau of tourism and travel.

Also:

S. 87. To provide for the enactment of the Alabama Uniform Parentage Act, creating a civil cause of action in the courts of this state for the determination of paternity for the purposes of support and other reasons; to provide for the definition of the parent and child relationship and methods for the establishment of said relationship; to provide for a presumption of paternity; to provide for the jurisdiction of actions to determine paternity and support under this Act in those courts exercising jurisdiction over juvenile proceedings; to provide for the venue and service of process in said proceedings; to provide for the determination of the existence or non-existence of the father and child relationship and when and by whom these actions may be brought; to specifically provide that applicable sections of the Criminal Code shall remain available for the enforcement of a child's right to support; to provide for court-ordered blood tests, the selection of expert witnesses and evidence relating to paternity and the admissibility of such evidence; to provide for court orders determining paternity and the payment of support and the enforcement of such orders by the mother, the child or public authorities furnishing expenses and support; to provide that written agreements for support shall be enforceable by the courts; to provide that any party may be represented by an attorney and that the district attorney, special prosecutor and other attorney authorized to represent the State of Alabama shall prosecute all proceedings under this Act; to provide

a statute of limitations for paternity actions under this act; to provide that any interested party may also bring an action to determine the existence or non-existence of the mother and child relationship; to provide for the issuance of a new birth certificate upon a determination of paternity; to further provide for the appeal of judgments rendered pursuant to this Act to the circuit court for a trial de novo and by a jury, if demanded; to provide for the treatment of the husband of a woman who has been the subject of artificial insemination with his consent, as the natural father of a child born thereof; and to specifically repeal Sections 26-12-1 through 26-12-9, Code of Alabama 1975.

McDOWELL LEE,  
Secretary.

### SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

### H. 611 RESUMED

And the bill:

H. 611. To amend Sections 9-13-82, 9-13-84 and 9-13-85, Code of Alabama 1975, which relate to forests and forest products, tax levies, distribution of such levies, and provides for the appropriation of such funds, so as to establish the "Forestry Improvement Act of 1984" and a State Forestry Improvement Program for the purposes of improving Alabama forestland and forestry development, and the manner of application therefor; to provide the powers, duties, and authority of the Alabama Forestry Commission relative to this program; to create the "Forestry Improvement Fund" and provide by amendment for the manner of depositing taxes collected to such fund; to provide for a committee of forest landowners and industry representatives to advise the Alabama Forestry Commission as to the implementation of such program and to provide for expenses of such committee; to authorize the Alabama Forestry Commission to secure any federal, state or local funds, grants or money; to authorize the local governments to appropriate or grant funds or money to the said commission for the program; to provide for their duties and powers; to make certain appropriations from the net proceeds collected and deposited from the severance of forest products and the processing or manufacturing of forest products; and to further amend the rates of severance and processor taxes levied by Section 9-13-82(a) and (b) of the Code of Alabama 1975, and the percentage of funds expended in counties under Section 9-13-85.

As thus amended, was read a third time at length and passed, and ordered engrossed.

Yeas 56; Nays 6.

Yeas:

Mr. Speaker, Adams, Albright, Biddle, Blake, Blakeney, Bowling, Brakefield, Britnell, Brooks, Bryant, Burke, Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Coburn, Coleman, Cosby, Faulk, Ford, Goodwin, Grayson, Grouby, Hammett, Harvey, Hettinger, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Laird,

Lauderdale, Lindsey, Martin, Mathis, Mitchell, Newman, Nicholson, Pratt, Preuitt, Rice, Richardson, Sasser, Starkey, Tanner, Thomas, Venable, Warren, White (F), White (G) and White (L).

—56

*Nays:* Reps.: Bachus, Box, Gaston, Harper, Kvalheim and Turner.

—6

And the bill:

S. 356. To amend Section 11-3-4.1, Code of Alabama, 1975, as amended, which relates to commissioners' minimum compensation so as to further provide for such compensation and to provide a minimum compensation for revenue commissioners and to further provide for such compensation.

Was taken up.

#### MOTION TO INDEFINITELY POSTPONE LOST

The motion offered by Rep. Carter to indefinitely postpone the bill, S. 356, was lost.

Yeas 37; Nays 40.

*Yeas:*

Reps.: Adams, Albright, Bachus, Beers, Box, Britnell, Brooks, Bryant, Burke, Buskey (John), Butler, Carothers, Carter, Clark (D), Coleman, Dutton, Flowers, Gray, Grayson, Holmes, Johnson (R.G.), Kennedy, Laird, Lauderdale, Lindsey, Marietta, Mathis, Mikell, Nicholson, Payne, Rains, Rice, Starkey, Starr, Thomas, White (G) and White (L).

—37

*Nays:*

Mr. Speaker, Blake, Blakeney, Boles, Bowling, Brakefield, Browder, Bugg, Campbell, Clark (J), Clark (W), Coburn, Cosby, Crow, Ford, Gaston, Goodwin, Hammett, Harvey, Hettinger, Holley, Hooper, Johnson (Roy), Junkins, Kvalheim, McMillan, Martin, Mitchell, Moore, Onderdonk, Penry, Poole, Pratt, Richardson, Smith, Trammell, Turner, Warren, White (F) and Zoghby.

—40

#### AMENDMENT OFFERED

Rep. Carter offered the following amendment to the bill, S. 356:

Amend S. B. 356, page 1, in the Title, line 13, after the word "compensation" by changing the period to a semi-colon and adding the following:

and excludes Limestone County from the provisions of this bill.

And on page 4, immediately following line 7, by inserting a new section 2, and renumbering remaining sections accordingly. New Section 2 to read as follows: Section 2. The provisions of this bill shall not apply to Limestone County.

#### MOTION TO TABLE LOST

The motion offered by Rep. Mitchell to table the amendment offered by Rep. Carter to the bill, S. 356, was lost.

Yeas 19; Nays 65.

*Yeas:*

Mr. Speaker, Albright, Blake, Bowling, Campbell, Clark (J), Coburn, Crow, Ford, Harvey, Johnson (Roy), Mitchell, Moore, Nicholson, Parker, Turner, Warren, White (F) and Zoghby. —19

*Nays:*

Reps.: Adams, Bachus, Beers, Blakeney, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (John), Butler, Carothers, Carter, Clark (D), Coleman, Cosby, Davis, Dutton, Escott, Fuller, Gaston, Goodwin, Gray, Grouby, Hammett, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, Marietta, Mathis, Mikell, Newman, Onderdonk, Payne, Penry, Perdue, Pratt, Rains, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Turnham, Venable, White (G) and White (L).

—65

### RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Pratt:

H. R. 338. COMMENDING ALICIA FAY PERSONS FOR OUTSTANDING ACHIEVEMENT.

### S. 356 RESUMED

### AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Rep. Carter to the bill, S. 356, and the amendment was adopted.

*Yeas* 78; *Nays* 2.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Black, Blake, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (John), Butler, Carothers, Carter, Clark (D), Coburn, Coleman, Cosby, Davis, Dutton, Escott, Ford, Fuller, Gaston, Goodwin, Gray, Grouby, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McMillan, Marietta, Mathis, Mikell, Moore, Newman, Nicholson, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Turnham, Venable, Warren, White (F), White (G) and White (L).

—78

*Nays:* Reps. Campbell and Mitchell.

—2

### AMENDMENT OFFERED

Rep. Hall offered the following amendment to the bill, S. 356 as amended.

On page 3, line 11, delete the strike through subsection (f) and on line 16 after the stricken portion of (f) insert the following new language: An up to date public record of all reimbursable traveling expenses paid to county

commissioners from time to time shall be maintained as a public record in the office of the judge of probate of the county. All automobiles leased or owned by the county and assigned to county commissioners shall be used only for conducting county business and shall bear a county seal or other like designation on the front doors of such automobiles.

#### MOTION TO POSTPONE TABLED

On motion of Rep. Mitchell, the motion offered by Rep. Dutton to postpone further consideration of the bill, S. 356 as amended, and the pending amendment, to the thirtieth legislative day, was tabled.

Yeas 45; Nays 44.

#### *Yeas:*

Reps.: Adams, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Browder, Bugg, Campbell, Clark (J), Cosby, Crow, Faulk, Ford, Gaston, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Junkins, Kennedy, Kvalheim, McMillan, Martin, Mitchell, Moore, Nicholson, Onderdonk, Parker, Penry, Poole, Pratt, Preuitt, Richardson, Thomas, Trammell, Turner, Warren, White (F) and Zoghby.

—45

#### *Nays:*

Reps.: Albright, Bachus, Beers, Britnell, Brooks, Bryant, Burke, Butler, Carothers, Carter, Clark (D), Coleman, Davis, Dutton, Escott, Fuller, Goodwin, Gray, Grayson, Hooper, Horn, Johnson (R.G.), Laird, Lauderdale, Lindsey, McDowell, McKee, Marietta, Mathis, Mikell, Payne, Perdue, Rains, Rice, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Turnham, Venable, White (G) and White (L).

—44

The question was then on the adoption of the amendment offered by Rep. Hall to the bill, S. 356, as amended.

#### MOTION TO TABLE LOST

The motion offered by Rep. Mitchell to table the amendment offered by Rep. Hall to the bill, S. 356 as amended, was lost.

Yeas 23; Nays 48.

#### *Yeas:*

Reps.: Blake, Blakeney, Box, Buskey (John), Campbell, Ford, Gaston, Holley, Johnson (Roy), Kennedy, Kvalheim, Mitchell, Onderdonk, Parker, Penry, Poole, Pratt, Smith, Thomas, Turner, Warren, White (F) and Zoghby.

—23

#### *Nays:*

Reps.: Adams, Albright, Bachus, Beers, Black, Bowling, Britnell, Brooks, Bryant, Burke, Butler, Carothers, Carter, Clark (J), Coleman, Crow, Davis, Dutton, Fuller, Gray, Grayson, Grouby, Hall, Hettinger, Horn, Johnson (R.G.), Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, Marietta,

Mathis, Mikell, Payne, Perdue, Rains, Reed, Rice, Richardson, Rogers, Sasser, Spratt, Starkey, Starr, White (G) and White (L).

—48

AMENDMENT ADOPTED

The question was then on the adoption of the amendment offered by Rep. Hall to the bill, S. 356 as amended, and the amendment was adopted.

Yeas 47; Nays 23.

*Yeas:*

Reps.: Adams, Albright, Bachus, Beers, Black, Bowling, Brooks, Bryant, Burke, Buskey (John), Butler, Carothers, Carter, Coleman, Cosby, Davis, Dutton, Ford, Fuller, Gray, Grayson, Hall, Hettinger, Hooper, Horn, Johnson (R.G.), Laird, Lindsey, McKee, Marietta, Mathis, Mikell, Payne, Perdue, Rains, Reed, Rice, Richardson, Rogers, Sasser, Spratt, Starkey, Starr, Thomas, Turnham, White (G) and White (L).

—47

*Nays:*

Reps.: Mr. Speaker, Blakeney, Box, Campbell, Clark (D), Clark (J), Crow, Gaston, Goodwin, Holley, Johnson, Roy, Kvalheim, McMillan, Mitchell, Moore, Nicholson, Onderdonk, Penry, Preuitt, Smith, Turner, Warren and White (F).

—23

AMENDMENT OFFERED

Rep. Martin offered the following amendment to the bill, S. 356 as amended:

On page 1, the title, line 12, after the word "revenue" insert the following language:

and license

Also on page 3, in Section 2. (a), line 19, after the period, amend by inserting the following language:

No license commissioner shall receive compensation for serving as such officer, that is less than \$30,000.00 per year.

Also, on page 3, line 33, after the word "revenue," amend by inserting the following language:

or license

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 56; Nays 6.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Blake, Blakeney, Bowling, Brakefield, Brooks, Bryant, Bugg, Buskey (John), Butler, Clark (D), Clark (J), Cosby, Davis, Faulk, Fuller, Gaston, Goodwin, Grayson, Grouby, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, McKee, McMillan, Martin, Mitchell, Moore, Onderdonk,

Parker, Penry, Poole, Preuitt, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Thomas, Turner, Venable, Warren, White (G) and White (L).

—56

*Nays:* Reps.: Carothers, Crow, Mathis, Payne, Rains and Turnham. —6

#### AMENDMENT OFFERED

Rep. Thomas offered the following amendment to the bill, S. 356 as amended:

Amend S. B. 356 on page 4, immediately following line 7, by inserting a new Section 2, and renumbering remaining sections accordingly. Section 2 shall read as follows:

Section 2. The provisions of this bill shall not apply to Wilcox and Lowndes Counties.

Further amend S. B. 356, page 2, Title, Line 13, after the word "compensation" by changing the period to a semi-colon and adding the following:

; and exclude Wilcox and Lowndes Counties.

#### AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 70; Nays 2.

*Yeas:*

Mr. Speaker, Albright, Black, Blake, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Davis, Dutton, Faulk, Ford, Gaston, Goodwin, Grayson, Grouby, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McDowell, McKee, Mathis, Melton, Mikell, Moore, Nicholson, Onderdonk, Parker, Payne, Perdue, Poole, Preuitt, Rains, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Turnham, Warren, White (F), White (G) and White, (L).

—70

*Nays:* Reps. Harvey and Mitchell.

—2

#### MOTION TO POSTPONE

Rep. Carter offered the motion to postpone further consideration of the bill, S. 356 as amended, to the twenty-ninth legislative day.

#### MOTION TO TABLE LOST

The motion offered by Rep. Mitchell to table the motion to postpone offered by Rep. Carter, was lost.

Yeas 44; Nays 50.

*Yeas:*

Reps.: Albright, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Browder, Bugg, Buskey (John), Campbell, Coburn, Cosby, Crow, Faulk, Ford, Gaston, Grayson, Hall, Harvey, Holley, Holmes, Junkins, Kvalheim, McMillan,



Martin, Melton, Mitchell, Moore, Nicholson, Onderdonk, Parker, Penry, Poole, Pratt, Preuitt, Richardson, Smith, Tanner, Trammell, Turner, Warren, White (F) and Zoghby.

—44

*Nays:*

Mr. Speaker, Adams, Bachus, Beers, Britnell, Brooks, Bryant, Burke, Butler, Carothers, Carter, Clark (D), Clark (J), Coleman, Davis, Dutton, Escott, Fuller, Goodwin, Gray, Grouby, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Laird, Lauderdale, Lindsey, McDowell, McKee, McNair, Marietta, Mathis, Payne, Perdue, Rains, Rice, Rogers, Sasser, Spratt, Starkey, Starr, Thomas, Turnham, Venable, White (G) and White (L).

—50

### MOTION TO POSTPONE LOST

The question was then on the motion offered by Rep. Carter to postpone further consideration of the bill, S. 356 as amended, to the twenty-ninth legislative day, and the motion was lost.

Yeas 44; Nays 47.

*Yeas:*

Reps.: Adams, Bachus, Beers, Britnell, Brooks, Bryant, Burke, Butler, Carothers, Carter, Clark (D), Coleman, Davis, Dutton, Escott, Fuller, Goodwin, Gray, Hooper, Horn, Johnson (R.G.), Laird, Lauderdale, Lindsey, McDowell, McKee, McNair, Marietta, Mathis, Mikell, Payne, Perdue, Rains, Rice, Rogers, Sasser, Spratt, Starkey, Starr, Thomas, Turnham, Venable, White (G) and White (L).

—44

*Nays:*

Mr. Speaker, Albright, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Browder, Bugg, Buskey (John), Campbell, Clark (J), Coburn, Cosby, Crow, Faulk, Ford, Gaston, Grayson, Hall, Hammett, Harvey, Hettinger, Holley, Johnson (Roy), Junkins, Kvalheim, McMillan, Martin, Mitchell, Moore, Nicholson, Onderdonk, Parker, Penry, Poole, Pratt, Preuitt, Richardson, Smith, Tanner, Trammell, Turner, Warren, White (F) and Zoghby.

—47

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 708. To provide for the voluntary dissolution of solvent subsidiary corporations organized under Alabama law; to provide for the transfer of rights and properties and assumption of liabilities and duties thereof; to provide for the execution, contents and filing of articles of dissolution; to provide for the issuance of a certificate of dissolution, the effect and time of effectiveness thereof; to provide that this act shall be included in the Code

of Alabama 1975 as Section 10-2A-181A; and to provide for an effective date.

McDOWELL LEE,  
Secretary.

#### S. 356 RESUMED

#### MOTION TO POSTPONE

Rep. Dutton offered the motion to postpone further consideration of the bill, S. 356 as amended, to the twenty-eighth legislative day.

#### RECESS

On motion of Rep. Buskey (James) the House stood in temporary recess.

#### HOUSE RECONVENED

The House reconvened. The Speaker called the House to order.

#### S. 356 RESUMED

The question was then on the motion offered by Rep. Dutton to postpone further consideration of the bill, S. 356 as amended, to the twenty-eighth legislative day.

#### MOTION TO TABLE LOST

The motion offered by Rep. Mitchell to table the motion to postpone offered by Rep. Dutton, was lost.

Yeas 43; Nays 47.

*Yeas:*

Mr. Speaker, Albright, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Bugg, Campbell, Clark (J), Cosby, Crow, Gaston, Harvey, Hettinger, Holley, Johnson (Roy), Junkins, Kennedy, Kvalheim, McMillan, Marietta, Martin, Melton, Mitchell, Moore, Nicholson, Onderdonk, Parker, Penry, Poole, Pratt, Preuitt, Richardson, Sasser, Thomas, Trammell, Turner, Warren and White (F).

—43

*Nays:*

Reps.: Adams, Bachus, Beers, Britnell, Brooks, Bryant, Burke, Butler, Carothers, Carter, Clark (D), Coleman, Davis, Dutton, Escott, Flowers, Fuller, Goodwin, Gray, Grayson, Grouby, Hall, Harper, Holmes, Hooper, Horn, Johnson (R.G.), Laird, Lauderdale, Lindsey, McDowell, McKee, McNair, Mathis, Payne, Perdue, Rains, Reed, Rice, Rogers, Spratt, Starkey, Starr, Turnham, Venable, White (G) and White (L).

—47

#### S. 356 POSTPONED

The question was then on the motion offered by Rep. Dutton to postpone further consideration of the bill, S. 356 as amended, to the twenty-eight legislative day, and the motion to postpone was adopted.

Yeas 53; Nays 44.

*Yeas:*

Reps.: Adams, Bachus, Beers, Britnell, Brooks, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (W), Coleman, Davis, Dutton, Escott, Flowers, Fuller, Goodwin, Gray, Grayson, Grouby, Hall, Harper, Holmes, Hooper, Horn, Johnson (R.G.), Laird, Lauderdale, Lindsey, McDowell, McKee, McNair, Mathis, Mikell, Payne, Perdue, Rains, Reed, Rice, Rogers, Sasser, Spratt, Starkey, Starr, Thomas, Turnham, Venable, White (G) and White (L).

—53

*Nays:*

Mr. Speaker, Albright, Biddle, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Browder, Bugg, Campbell, Clark (J), Cosby, Crow, Faulk, Gaston, Harvey, Hettinger, Holley, Johnson (Roy), Junkins, Kennedy, Kvalheim, McMillan, Marietta, Martin, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Poole, Pratt, Preuitt, Richardson, Trammell, Turner, Warren, White (F) and Zoghby.

—44

And the bill:

S. 114. To further regulate and control alcoholic beverage transactions in Alabama under the control and supervision of the Alcoholic Beverage Control Board; to provide that each manufacturer or importer of alcoholic beverages selling its products in Alabama through wholesale licensees to retail licensees shall designate sales territories within the state and shall enter into a written territorial agreement naming an exclusive wholesaler for each such designated sale territory, and shall file with Board the designated sales territories and a copy of each territorial agreement; to provide that such territorial agreement may not establish or maintain resale price; to provide for the modification of the designated sales territories and exclusive territorial agreements; to provide for verification by the Board of timely and proper filing of returns and payment of state and local taxes levied on alcoholic beverages by statute; to make it unlawful for any manufacturer or importer to permit its products to be sold in Alabama without the designation of sales territories and exclusive wholesalers for such territories, for any wholesaler to sell alcoholic beverages in any territory other than that designated as his exclusive sales territory or to sell any brand of alcoholic beverages without authorization from its manufacturer or importer, and for any retailer to purchase any alcoholic beverages from a wholesaler which has not been designated as the exclusive wholesaler for such alcoholic beverages for the sales territory within which the retailer's place of business is located; to provide penalties for violation of the provisions of this act; and to repeal all laws or parts of laws in conflict or inconsistent herewith.

Was taken up.

#### MOTION TO POSTPONE TABLED

On motion of Rep. Penry, the motion offered by Rep. Sasser to postpone consideration of the bill, S. 114, to the thirtieth legislative day, was tabled.

Yeas 66; Nays 22.

*Yeas:*

Reps.: Albright, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box,

Britnell, Bryant, Buskey (James), Buskey (John), Carothers, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Ford, Fuller, Goodwin, Gray, Grayson, Hall, Hammett, Harper, Harvey, Hettinger, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Lindsey, McMillan, McNair, Marietta, Martin, Mathis, Mikell, Mitchell, Moore, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Preuitt, Rice, Rogers, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Venable, Warren, White (L) and Zoghby.

—66

*Nays:*

Reps.: Bachus, Beers, Brakefield, Brooks, Butler, Carter, Gaston, Holley, Hooper, Junkins, Laird, McDowell, McKee, Newman, Nicholson, Payne, Richardson, Sasser, Smith, Turnham, White (F) and White (G).

—22

### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 130. To be known as the "Alabama Nonprofit Corporation Act" revising the laws of Alabama in Title 10 of the Code of Alabama 1975 providing for: definitions; general substantive provisions; formation of nonprofit corporations; amendments; merger, consolidation and sale of assets; dissolution; foreign nonprofit corporations; provides for fees and miscellaneous charges; and provide powers of probate judge or secretary of state; repealing Chapter 3 (Nonprofit Corporations) Articles 1 through 8 of Title 10 of the Code of Alabama (1975), Chapter 4, Articles 12 and 15 of Title 10 of the Code of Alabama (1975), § 10-4-261 through § 10-4-263; § 10-4-281 through § 10-4-284; and amending § 10-4-260 and § 10-4-280, Code of Alabama (1975).

Also:

S. 146. To amend Section 6-8-40, Code of Alabama, 1975, so as to delete the requirement that clerks of the several circuit courts and registers must subscribe for, take and file in their offices copies of newspapers.

Also:

S. 154. To provide for educational assistance benefits for members of the Alabama National Guard.

Also:

S. 191. To amend Section 5-18-11 of the Code of Alabama 1975 relating to books, accounts and records of licensees under the Alabama Small Loan Act so as to provide further for annual reports of such licensees.

Also:

S. 211. Relating to dental practice insurance coverage in health insurance policies and employee benefit plans so as to allow any individual who has dental insurance coverage or contract benefits, the right to select any dentist of his choice to furnish the dental care provided under such plans or policies; to provide that it shall be the duty and responsibility of the commissioner of insurance to enforce the provisions of this Act; and to provide

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**26th Day**

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for penalties for violations as provided in Section 27-1-12 of the Code of Alabama 1975.

Also:

S. 232. To amend Section 11-43-4, Code of Alabama 1975, as amended, and to amend Section 11-43-45, Code of Alabama 1975, said sections relating to the election of officers in a municipality, so that vacancies may be filled by a majority vote of the members of the council, and all members of the council may vote to fill vacancies any provision of law notwithstanding.

Also:

S. 258. To amend Code of Alabama 1975, §§ 13A-12-190 through 13A-12-197, relating to child pornography, in order to further define and prohibit child pornography and to further provide for the trial of cases involving it; to specify the cases these amendments apply to; to provide that the provisions of this act are severable; and to provide an effective date.

Also:

S. 314. To provide that any appropriations made to the Public Education Employees' Health Insurance Board for the purpose of funding a uniform plan of health insurance for educational personnel shall also include an appropriation to the Public Education Employees' Health Insurance Board for partially funding insurance coverage for retired employees.

Also:

S. 343. Relating to findings of the Legislature regarding the disease Avian Influenza; setting the crime of a knowing or wanton violation of laws or regulations pertaining to the control or eradication of Avian Influenza a Class C felony.

Also:

S. 362. To amend Sections 34-27-2, 34-27-11, 34-27-31, 34-27-50, 34-27-51, 34-27-60 and 34-27-66 of the Code of Alabama 1975 which regulate real estate and timesharing brokers, salesmen and transactions, so as to provide further therefor and to provide further for penalties.

Also:

S. 397. To amend Section 22-21-260 of the Code of Alabama 1975, so as to exempt a Veterans Nursing Home operated by the Department of Veterans Affairs from definition as a health care facility.

Also:

S. 425. To provide for certain payroll deductions for full-time firefighters employed by political subdivisions in this state.

Also:

S. 428. To authorize fiduciaries to invest in and hold, in addition to any other investments authorized by law, interests in any common trust fund or collective investment fund maintained by any financial institution having trust powers or in securities of or other interests in any open-end or closed-end management type investment company or investment trust registered under the Investment Company Act of 1940, provided that the portfolio of such fund, company or trust is limited to the classes of trust investments allowed by law.

S. 438. To amend Section 12-15-7 of the Code of Alabama 1975, relating to appointment of juvenile probation officers, so as to provide further for such appointments.

S. 470. To provide for the criminal offense of theft of trade secrets and trademarks and to prescribe penalty for conviction of such offense.

McDOWELL LEE,  
Secretary.

### SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

### S. 114 RESUMED

#### AMENDMENT OFFERED

Rep. Bachus offered the following amendment to the bill, S. 114:

Amend S. 114, page 5, line 2, after Section 6 by adding "new" Section 7, and renumbering all subsequent sections accordingly:

#### "SECTION 7: Setting of Maximum Prices by Board—

(1) The Board shall have the power to fix maximum wholesale prices for table wine and malt or brewed beverages within each exclusive sales territory for each brand of table wine and malt or brewed beverage.

(2) Each wholesaler shall file with the Board 60 days prior to any change in maximum price, notice of intent to change prices. Before approving any maximum price change, the Board shall hold public hearings relative to the exclusive sales territory or territories affected and hear evidence under oath relative to the prices to be fixed. Notice of such hearings shall be given to interested parties, including consumers, by announcement published in a newspaper having general circulation within the area or areas affected. Such announcement shall appear at least once, not less than 10 days nor more than 30 days prior to the date set for the hearing. Such publication shall be deemed sufficient and legal notice to all persons required by this article to be notified.

(3) The initial maximum prices filed with the Board shall be those wholesale prices in effect 10 days prior to this Act becoming law.

(4) At price hearings, consumers shall be entitled to offer evidence and to be heard the same as persons engaged in the industry. In fixing maximum prices, each Board Member may consider matters within his own knowledge and within the knowledge of the Board as a whole as well as pertinent or related matters occurring in other exclusive sales territories within or outside the state. After conducting such public hearings, the Board may, at its discretion, take under advisement the evidence and matters submitted to it, deliberate in private and render a decision at a later date.

(5) After holding such public hearings, deliberating and making such other investigation deemed advisable and after preparing a written finding of facts, the Board shall issue an official order fixing reasonable maximum

prices. Nothing in this Act shall prohibit wholesalers from charging less than the maximum price fixed by the Board.

(6) The Board may, upon its own initiative or upon application, from time to time, amend or revise orders fixing prices, but shall hold a hearing and shall follow the same procedures as required in originally fixing the prices or charges. Such orders may be reviewed by certiorari in the same manner as other orders and regulations of the Board."

Further, amend the Title on page 1, line 33 by adding, after the word "statute" the following:

"providing the Board authority to set maximum prices, conduct price hearings, and otherwise regulate maximum prices;"

#### AMENDMENT TABLED

On motion of Rep. Penry, the amendment offered by Rep. Bachus to the bill, S. 114, was tabled.

Yeas 69; Nays 18.

*Yeas:*

Mr. Speaker, Adams, Albright, Biddle, Black, Blake, Boles, Bowling, Box, Brakefield, Bryant, Burke, Buskey (James), Buskey (John), Carothers, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Fuller, Goodwin, Gray, Grayson, Hall, Hammett, Harper, Harvey, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Lindsey, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Pratt, Preuitt, Rice, Rogers, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Venable, Warren, White (L) and Zoghby.

—69

*Nays:*

Reps.: Bachus, Beers, Brooks, Butler, Carter, Gaston, Holley, Laird, McDowell, McKee, McNair, Payne, Rains, Sasser, Smith, Turnham, White (F) and White (G).

—18

#### AMENDMENT OFFERED

Rep. Bachus offered the following amendment #2 to the bill, S. 114:

In Section 8, on page 6, between line 4 and line 5 add a new subdivision (5) to read as follows:

(5) For a person to sell beer manufactured outside this state to a beer wholesaler within this state for the purpose of its importation into this state at a price, exclusive of container deposit, freight, and state and local taxes, higher than that at which the same product in an identical size, container and package is being sold contemporaneously by that person to a wholesaler anywhere in any other state of the United States or in the District of Columbia, or to any state or state agency.

#### AMENDMENT TABLED

On motion of Rep. Hammett, the amendment #2 offered by Rep. Bachus to the bill, S. 114, was tabled.

Yeas 59; Nays 21.

*Yeas:*

Mr. Speaker, Albright, Blake, Bowling, Box, Bugg, Burke, Buskey (James), Buskey (John), Carothers, Clark (D), Clark (J), Clark (W), Coburn, Cosby, Crow, Davis, Escott, Faulk, Ford, Fuller, Goodwin, Gray, Grayson, Hall, Hammett, Harper, Harvey, Hettinger, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Penry, Perdue, Poole, Pratt, Preuitt, Rice, Rogers, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Venable, Warren, White (L) and Zoghby.

—59

*Nays:*

Reps.: Bachus, Beers, Boles, Brooks, Butler, Carter, Gaston, Grouby, Holley, Hooper, Laird, McDowell, McKee, McMillan, McNair, Rains, Richardson, Sasser, Turnham, White (F) and White (G).

—21

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 146. To amend Section 40-12-49, Code of Alabama 1975, relating to license tax levied on attorneys, so as to increase the amount of said tax and to remove certain tax exemptions.

JIMMY CLARK,  
Chairman.

And the bill, H. 146 as engrossed, was ordered sent to the Senate.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 611. To amend Sections 9-13-82, 9-13-84 and 9-13-85, Code of Alabama 1975, which relate to forests and forest products, tax levies, distribution of such levies, and provides for the appropriation of such funds, so as to establish the "Forestry Improvement Act of 1984" and a State Forestry Improvement Program for the purposes of improving Alabama forestland and forestry development, and the manner of application thereof; to provide the powers, duties, and authority of the Alabama Forestry Commission relative to this program; to create the "Forestry Improvement Fund" and provide by amendment for the manner of depositing taxes collected to such fund; to provide for a committee of forest landowners and industry representatives to advise the Alabama Forestry Commission as to the implementation of such program and to provide for expenses of such committee; to authorize the Alabama Forestry Commission to secure any federal, state or



local funds, grants or money; to authorize the local governments to appropriate or grant funds or money to the said commission for the program; to provide for their duties and powers; to make certain appropriations from the net proceeds collected and deposited from the severance of forest products and the processing or manufacturing of forest products and the processing or manufacturing of forest products; and to further amend the rates of severance and processor taxes levied by Section 9-13-82(a) and (b) of the Code of Alabama 1975, and the percentage of funds expended in counties under Section 9-13-85.

JIMMY CLARK,  
Chairman.

And the bill, H. 611 as engrossed, was ordered sent to the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES  
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 708. To provide for the voluntary dissolution of solvent subsidiary corporations organized under Alabama law; to provide for the transfer of rights and properties and assumption of liabilities and duties thereof; to provide for the execution, contents and filing of articles of dissolution; to provide for the issuance of a certificate of dissolution, the effect and time of effectiveness thereof; to provide that this act shall be included in the Code of Alabama 1975 as Section 10-2A-181A; and to provide for an effective date.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

S. 114 RESUMED  
AMENDMENT OFFERED

Rep. Beers offered the following amendment to the bill, S. 114:

Amend S. B. 114 on page 6, Section 10, line 17 by adding after the word "repealed" the following:

Section 11. This act shall be hereby repealed if the wholesale price of alcoholic beverages, as sold through wholesale licensees, increases, in a period of one year, more than 3% above the rate of inflation as determined by the CPI (Consumer Price Index) for the Southeast for the prior year.

Further amend by renumbering subsequent sections accordingly.

## AMENDMENT TABLED

On motion of Rep. Penry, the amendment offered by Rep. Beers to the bill, S. 114, was tabled.

Yeas 56; Nays 24.

*Yeas:*

Mr. Speaker, Albright, Blake, Box, Brakefield, Bugg, Burke, Buskey (James), Carothers, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Ford, Fuller, Goodwin, Grayson, Hall, Hammett, Harper, Harvey, Hettinger, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, McMillan, Martin, Melton, Mikell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Rice, Rogers, Spratt, Starkey, Starr, Tanner, Turner, Venable, Warren and White (L).

—56

*Nays:*

Reps.: Bachus, Beers, Boles, Brooks, Butler, Gaston, Gray, Grouby, Holley, Hooper, Kennedy, Laird, McDowell, McKee, McNair, Mathis, Payne, Rains, Sasser, Trammell, Turnham, White (F), White (G) and Zoghby.

—24

## AMENDMENT OFFERED

Rep. Bachus offered the following amendment #3 to the bill, S. 114:

Amend S. B. 114 on page 6, Section 11, by deleting in its entirety and substituting in lieu thereof the following:

“Section 11: Effective Date. This Act shall become effective on January 1, 1985.”

## AMENDMENT TABLED

On motion of Rep. Penry, the amendment #3 offered by Rep. Bachus to the bill, S. 114, was tabled.

Yeas 59; Nays 22.

*Yeas:*

Mr. Speaker, Albright, Blake, Bowling, Box, Bryant, Bugg, Burke, Buskey (John), Carothers, Clark (D), Clark (J), Coburn, Cosby, Crow, Davis, Escott, Faulk, Fuller, Goodwin, Gray, Grayson, Hall, Hammett, Harper, Harvey, Hettinger, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Lindsey, McMillan, Marietta, Martin, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Perdue, Poole, Pratt, Preuitt, Rice, Rogers, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Venable, Warren and White (L).

—59

*Nays:*

Reps.: Bachus, Beers, Brooks, Butler, Carter, Clark (W), Gaston, Grouby, Holley, Hooper, Kennedy, Laird, McDowell, McKee, McNair, Payne, Rains, Sasser, Turnham, White (F), White (G) and Zoghby.

—22

NOTICE IN WRITING

Rep. Coburn filed the following Notice in Writing:

Notice is hereby given that a motion will be made to amend the Rules of the House to add a new rule 24a to read as follows:

Rule 24a. After the Special Education Trust Fund and General Fund budgets have passed the House, no bills to permit tax exemptions to any person, group, association or corporation shall be acted upon by the House until after a bill has been introduced and passed to increase the monies in the Special Education Trust Fund and in the General Fund in an amount no less than the amount to be taken out by such bill to offer exemption from said funds.

S. 114 RESUMED  
AMENDMENT OFFERED

Rep. Payne offered the following amendment to the bill, S. 114:

Amend S.B. 114, Section 8A, Page 5, line 33 by striking after the word territory the following: subparagraph (4) in its entirety.

AMENDMENT TABLED

On motion of Rep. Penry, the amendment offered by Rep. Payne to the bill, S. 114, was tabled.

Yeas 67; Nays 20.

*Yeas:*

Mr. Speaker, Adams, Albright, Black, Blake, Boles, Bowling, Box, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Carothers, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Escott, Flowers, Fuller, Goodwin, Grayson, Hall, Hammett, Harper, Harvey, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Lindsey, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Preuit, Rogers, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—67

*Nays:*

Reps.: Bachus, Beers, Brooks, Butler, Gaston, Gray, Grouby, Holley, Hooper, Kennedy, Laird, McDowell, McKee, McNair, Payne, Rains, Rice, Sasser, Turnham and White (G).

—20

MOTION TO POSTPONE TABLED

On motion of Rep. Penry, the motion offered by Rep. Bachus to postpone further consideration of the bill, S. 114, to the twenty-ninth legislative day, was tabled.

Yeas 69; Nays 18.

*Yeas:*

Mr. Speaker, Adams, Albright, Biddle, Black, Blake, Boles, Bowling, Box, Brakefield, Bryant, Burke, Buskey (James), Buskey (John), Carothers,

Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Fuller, Goodwin, Gray, Grayson, Hall, Hammett, Harper, Harvey, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Lindsey, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Pratt, Preuitt, Rice, Rogers, Spratt, Starkey, Starr, Tanner, Trammell, Turner, Venable, Warren, White (L) and Zoghby.

—69

*Nays:*

Reps.: Bachus, Beers, Brooks, Butler, Carter, Gaston, Holley, Laird, McDowell, McKee, McNair, Payne, Rains, Sasser, Smith, Turnham, White (F) and White (G).

—18

And the bill, S. 114, was read a third time at length and passed.

Yeas 70; Nays 23.

*Yeas:*

Mr. Speaker, Adams, Albright, Biddle, Black, Blake, Boles, Bowling, Box, Brakefield, Bryant, Bugg, Burke, Buskey (James) Buskey (John), Carothers, Clark (D), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Escott, Faulk, Flowers, Ford, Fuller, Goodwin, Grayson, Hall, Hammett, Harper, Harvey, Hettinger, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Lindsey, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Perdue, Poole, Pratt, Preuitt, Reed, Rice, Rogers, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (L) and Zoghby.

—70

*Nays:*

Reps.: Bachus, Beers, Brooks, Butler, Carter, Clark (J), Gaston, Gray, Grouby, Holley, Hooper, Kennedy, Laird, McDowell, McKee, McNair, Payne, Rains, Richardson, Sasser, Turnham, White (F) and White (G).

—23

#### H. 187 INDEFINITELY POSTPONED

On motion of Rep. Penry, the bill:

H. 187. To further regulate and control alcoholic beverage transactions in Alabama under the control and supervision of the Alcoholic Beverage Control Board; to provide that each manufacturer or importer of alcoholic beverages selling its products in Alabama through wholesale licensees to retail licensees shall designate sales territories within the state and shall enter into a written territorial agreement naming an exclusive wholesaler for each such designated sale territory, and shall file with Board the designated sales territories and a copy of each territorial agreement; to provide that such territorial agreement may not establish or maintain resale price; to provide for the modification of the designated sales territories and exclusive territorial agreements; to provide for verification by the Board of timely and proper filing of returns and payment of state and local taxes levied on alcoholic beverages by statute; to make it unlawful for any manufacturer or importer to permit its products to be sold in Alabama without the designation

of sales territories and exclusive wholesalers for such territories, for any wholesaler to sell alcoholic beverages in any territory other than that designated as his exclusive sales territory or to sell any brand of alcoholic beverages without authorization from its manufacturer or importer, and for any retailer to purchase any alcoholic beverages from a wholesaler which has not been designated as the exclusive wholesaler for such alcoholic beverages for the sales territory within which the retailer's place of business is located; to provide penalties for violation of the provisions of this act; and to repeal all laws or parts of laws in conflict or inconsistent herewith.

Was indefinitely postponed.

H. 815 TAKEN UP

And the bill:

H. 815. To make an additional appropriation to the Office of the Attorney General for the payment of salaries and other expenses and to provide for repayment of certain amounts to the State Treasury and to amend Act No. 83-836, Third Special Session 1983.

As temporarily postponed as amended on the twenty-fourth legislative day, was read a third time at length and passed, and ordered engrossed.

Yeas 69; Nays 8.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Blakeney, Boles, Bowling, Brakefield, Britnell, Brooks, Bryant, Burke, Buskey (James), Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Harper, Holley, Hooper, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, McKee, McMillan, Martin, Mathis, Mikell, Mitchell, Moore, Nicholson, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starr, Thomas, Trammell, Turner, Turnham, Warren, White (F), White (G) and White (L).

—69

*Nays:*

Reps.: Black, Blake, Bugg, Butler, McDowell, McNair, Marietta and Starkey.

—8

CO-SPONSORS ADDED

Reps. Horn and Biddle were added as co-sponsors to the bill, H. 815.

RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Box, Buskey (James), Kvalheim, Gaston, Marietta, Clark (W), Kennedy, McMillan, Zoghby, Turner, Harper, and Penry:

H. R. 339. COMMENDING THE UNIVERSITY OF SOUTH ALABAMA JAGUARS BASEBALL TEAM.

## MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Zoghby, the rules were suspended in order to take up out of order the bill, H. 143.

And the bill:

H. 143. To amend Section 5-2-120, Code of Alabama 1975, which provides for the appointment of the credit union board of the bureau of credit unions and to amend Section 5-2-121 which provides for meetings of the credit union board of the bureau of credit unions.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Hall, Harper, Harvey, Hettinger, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Moore, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Rains, Rice, Richardson, Sasser, Smith, Starkey, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—77

## RESOLUTIONS

The following resolution was introduced:

By Reps.: Turner, Gaston, Kvalheim, Hooper, Buskey (James), Kennedy, Clark (W) Marietta:

H. J. R. 340. REQUESTING HIGHWAY DEPARTMENT TO LEAVE HIGHWAY 98 BRIDGE OVER BIG CREEK LAKE IN MOBILE COUNTY AS A FISHING BRIDGE.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby request the state highway department to leave the old bridge in Mobile County on Highway 98 over Big Creek Lake as a fishing pier.

RESOLVED FURTHER, That a copy of this resolution be sent to the highway department director.

On motion of Rep. Turner, the rules were suspended and the resolution, H. J. R. 340, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Clark (W) and Turner:

H. R. 341. COMMENDING MRS. LOLA W. BRACKETT—  
PROMINENT MOBILE COUNTY EDUCATOR.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Tanner, the rules were suspended in order to take up out of order the bill, H. 328.

And the bill:

H. 328. To amend Section 11-43-3, Code of Alabama 1975, to eliminate the requirement that the city treasurer and the city clerk in municipalities of more than 6,000 inhabitants must be a resident of the city but providing that the council may, by ordinance, require that such officers be residents of the city.

Was taken up.

S. 175 SUBSTITUTED FOR H. 328

On motion of Rep. Tanner, the bill, S. 175, was substituted for the bill, H. 328.

And the bill:

S. 175. To amend Section 11-43-3, Code of Alabama 1975, to eliminate the requirement that the city treasurer and the city clerk in municipalities of more than 6,000 inhabitants must be a resident of the city but providing that the council may, by ordinance, require that such officers be residents of the city.

Was read a third time at length and passed.

Yeas 78; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Bachus, Beers, Black, Blake, Blakeney, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Faulk, Gaston, Goodwin, Gray, Grouby, Hammett, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Mikell, Mitchell, Moore, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Bryant:

H. R. 342. COMMENDING MR. THOMAS A. WALTHALL FOR OUTSTANDING SERVICE TO THE HALE COUNTY BOARD OF EDUCATION.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Butler, the rules were suspended in order to take up out of order the bill, H. 105.

And the bill:

H. 105. (With Amendment): To exempt all persons employed in public schools from liability for certain communications concerning the suspected use, possession, sale or furnishing of any controlled substance by any student, to the student's parents, law enforcement officers or health care providers.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend House Bill 105, Section 1, Page 2, Line 2, after the word "information" by striking the following:

maliciously and

#### AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 69; Nays 0.

Yeas:

Reps.: Mr. Speaker, Albright, Black, Blake, Blakeney, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Gaston, Gray, Grouby, Harper, Harvey, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, Marietta, Martin, Mathis, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Preuitt, Rains, Rice, Richardson, Rogers, Sasser, Spratt, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (L) and Zoghby.

—69

And the bill, H. 105, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker, Albright, Bachus, Black, Blake, Blakeney, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Gaston, Gray, Grouby, Hammett, Harper, Harvey, Hettinger, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Mathis, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Preuitt, Rains, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Venable, Warren, White (G), White (L) and Zoghby.

—72



RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Turnham:

H. R. 343. COMMENDING MR. JOHN L. PARROTT FOR OUTSTANDING CONTRIBUTIONS TO THE ALABAMA COOPERATIVE EXTENSION SERVICE, AUBURN UNIVERSITY.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Teague:

S. J. R. 222. EXPRESSING APPRECIATION OF THE LEGISLATURE TO CHARLIE AND ALLIE WILSON OF TALLADEGA, ALABAMA.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 222, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senators Little, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Langford, Menton, Mitchem, Parsons, Pearson, Sanders, Smith (B), Smith (J), Strong, and Teague:

S. J. R. 213. EXPRESSING THE LEGISLATURE'S APPRECIATION TO THE AUBURN UNIVERSITY STUDENT BODY.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 213, the title of which is set out in the above and foregoing Message from the Senate.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Little:

**S. J. R. 217. CREATING AN INTERIM COMMITTEE TO REVIEW PROFESSIONAL, PRIVILEGE, BUSINESS, VOCATIONAL AND OCCUPATIONAL LICENSES AS PRESENTLY REQUIRED BY THE STATE.**

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That there is hereby created an Interim Committee on State Licenses to meet during interim periods between regular sessions of the Legislature for the purpose of reviewing professional, privilege, business, vocational and occupational licenses as presently required by law and to appropriately compare such licenses with their counterparts in other states, during which periods the members of such Committee shall each be entitled to, and shall receive, the same daily legislative compensation, expense allowances, per diem and other compensation which they receive while in legislative session, and in the same manner and under the same conditions as when they meet in legislative session. Provided, however, that said Committee shall not expend more than \$10,000 in any interim period. The compensation of the Committee employees shall be paid as provided in Section 29-1-9 and 29-1-10 of the Code of Alabama 1975 and the Clerk of the House and the Secretary of the Senate shall furnish appropriate secretarial assistance. It shall be the duty of the Committee to carefully study and analyze the aforementioned state licensing requirements and to report its findings and recommendations as herein provided. The Committee shall be composed of two members from the Senate appointed by the Lieutenant Governor and two members from the House of Representatives appointed by the Speaker of the House of Representatives. The Lieutenant Governor shall designate one of his appointees to serve as chairman of the Committee.

All departments, boards, bureaus, commissions, agencies, offices and institutions of the state shall and are hereby directed to cooperate fully with the Committee and shall furnish any and all information that may be requested by the Committee.

**BE IT FURTHER RESOLVED,** That the final report of the Committee, along with its findings and recommendations, shall be submitted to the Governor and each member of the Legislature no later than the fifth legislative day of the 1985 regular session. Said Committee shall terminate March 1, 1985.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

The resolution, S. J. R. 217, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Ellis:

S. J. R. 219. MOURNING THE DEATH OF MR. L. HOLLAND FLOYD OF MONTEVALLO, ALABAMA.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 219, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 287. MOURNING THE DEATH OF MR. BARRETT CLINTON SHELTON OF DECATUR, ALABAMA.

Also:

H. J. R. 288. DECLARING MAY 3, 1984, A STATE "DAY OF PRAYER" IN ALABAMA.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Senator Bennett:

S. 244. To provide that support may be ordered paid directly to the Department of Pensions and Security or its designee in any case where the Department has been subrogated to the rights of a child or other person to collect and receive support payments from the obligor, including but not necessarily limited to those instances in which the child or other person is receiving Aid to Dependent Children, Aid to Families with Dependent Children or has otherwise made application for collection services through the Department pursuant to Title IV-D of the Social Security Act and amendments thereto; provides for the distribution of monies collected; provides for notice to the court of the location and address where monies shall be received; provides for contracting with a designated party; provides that the record of collections shall constitute the official payment record, and shall be prima facie evidence of the payment made by the obligor.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 244. Judiciary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and sends same herewith to the House:

By Senator Bennett:

S. 94. To establish the Alabama Legislative Compensation Commission, its membership, terms of office, expenses, powers and duties; to provide that the commission's recommendations to the legislature for expense allowance shall become effective automatically if the legislature fails to act by a certain period.

Also:

By Senator Foshee:

S. 220. To provide an additional or alternative remedy to the Reciprocal State Enforcement of Duty to Support law, Code of Alabama 1975, §§30-4-80 through 30-4-98, for the benefit of any person owed the duty of support where said duty arises pursuant to a foreign support order or decree as defined in this Act.

Also:

By Senator Parsons:

S. 408. To provide for the reopening of the Employees' Retirement System of Alabama to those municipal officers and employees who are members of the Employees' Retirement System of Alabama on June 1, 1984 and who have prior employment with other municipalities for which they are ineligible to gain credit.

Also:

By Senator Amari:

S. 476. To amend Section 36-27-23, of the Code of Alabama 1975, relating to the general administration and proper operation of the retirement system of Alabama, so as to increase the number of members of the board of control of such system, and to provide for the election, qualifications and terms of office of the added member.

Also:

By Senator Teague:

S. 514. To amend Section 16-3-9, Code of Alabama, 1975, which provides for a specific expense allowance for each member of the State Board of Education.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 94. State Administration.
- S. 220. Judiciary.
- S. 408. Ways and Means.
- S. 476. State Administration.
- S. 514. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senators Bedford, Hand, Bennett and Figures:

S. J. R. 214. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE TO STUDY HAZARDOUS WASTE DISPOSAL SITES.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim legislative committee to study hazardous waste disposal sites and facilities located in this state, including, but not limited to, the facility in Emelle, Alabama. The committee shall be composed of three members from the Senate to be appointed by the Lieutenant Governor and three members from the House of Representatives to be appointed by the Speaker. A chairman and vice-chairman shall be elected from the membership.

BE IT RESOLVED FURTHER, That upon the request of the Chairman, the Secretary of Senate and the Clerk of the House shall provide such clerical assistance as the Committee's work may require, and that the Chairman shall be authorized to employ within the limit of funds available to the Committee any person, persons, firms or corporations deemed necessary by the Chairman to carry out the duties, functions and purposes of the Committee. Each member of the Committee shall be entitled to regular legislative compensation, per diem, and travel expenses within or without the State for each day the member is on business of the Committee or attends meetings when the Legislature is not in session or is in recess without pay. Such sums shall be paid on warrants drawn by the state comptroller upon requisition of the Chairman from any funds available to the legislature and in accordance with law; provided, however, the total of such sums shall not exceed Ten Thousand Dollars.

BE IT FURTHER RESOLVED, That the Committee be empowered to call witnesses to testify under oath and the members and witnesses shall furnish, upon request of the Committee or any member thereof, any and all information, data and documents which the Committee may need or request to carry out the functions and duties of the Committee, and the Chairman of the Committee shall have the power to issue subpoenas and subpoena duces tecum pursuant to the Alabama Rules of Civil Procedure.

BE IT FURTHER RESOLVED, That the Committee shall make its report, findings and recommendations to the legislature, Governor and any

state agencies on or before the 5th legislative day of the 1985 Regular Session of the Legislature.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

The resolution, S. J. R. 214, set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 229. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1985.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

#### MOTION TO NON-CONCUR TABLED

On motion of Rep. Coburn, the motion offered by Rep. Hettinger, that the House non-concur in the Senate amendment to the bill, H. 229, and request a Committee on Conference be appointed to reconcile the differences between the two Houses, was tabled, said Senate amendment being as follows:

#### A BILL TO BE ENTITLED AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1985.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The monies in Section 2 are appropriated from the named funds for the 1984-85 fiscal year to the state agency indicated, as the amounts to be used to pay the expenditures of the named agencies, and are in lieu of all monies appropriated for these purposes in other sections of the Alabama Statutes.

For the purpose of this Act, the amounts herein for expenditures are listed by programmatic area and the total for all programs are shown by the source of funds. It is intended that only the named funds be appropriated to the agency concerned; and that the following definitions shall be applicable:

(a) "Appropriation Total" shall mean the aggregate total of all fund sources.

(b) "Program" shall mean specific governmental services required to

achieve a specific objective. A program shall be directed to meeting the needs of an identified clientele, or group of recipients or beneficiaries.

(c) "Capital Outlay" shall mean expenditures which result in the acquisition and/or addition to items, such as land or buildings, which have an appreciable and calculable period of usefulness in excess of one year, and shall be expended only for such purposes.

(d) "Debt Service" shall mean an expenditure for the payment of interest and principal on all bonded debt obligations of the State, and shall be expended only for such purposes.

SECTION 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for other functions of government, for the principal and interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1985, to be paid out of any monies hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor, except as provided in the Budget Management Act of 1976, Sections 41-19-1 through 12, Code of Alabama 1975. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.

2A. LEGISLATIVE:

1. EXAMINERS OF PUBLIC  
ACCOUNTS, DEPARTMENT OF:

(a) Legislative Support-Audit Services Program ..... 4,300,000

The appropriation to the Examiners of Public Accounts shall include a transfer to the State Personnel Department of \$8,853.

SOURCE OF FUNDS:

(1) State General Fund .....	4,200,000		
(2) Federal Funds .....		100,000	

Total Department of Examiners of Public Accounts.	4,200,000	100,000	4,300,000
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2. LEGISLATIVE COUNCIL:

(a) Other Legislative Operations  
and Support Program ..... 180,000

(For Operations of the Council including out-of-state travel by Council members and members of the Legislature authorized to

attend Legislative conferences  
by joint resolution of the Legis-  
lature.)

## SOURCE OF FUNDS:

(1) State General Fund .....	180,000	
<hr/>		
Total Legislative Council .....	180,000	180,000
<hr/>		

## 3. LEGISLATIVE FISCAL OFFICE:

(a) Other Legislative Operations and Support Program .....	500,000
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## SOURCE OF FUNDS:

(1) State General Fund .....	500,000	
<hr/>		
Total Legislative Fiscal Office ..	500,000	500,000
<hr/>		

4. LEGISLATIVE REFERENCE  
SERVICE:

(a) Other Legislative Operations and Support Program .....	810,000
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The appropriation to the Leg-  
islative Reference Service shall  
include a transfer to the State  
Personnel Department of \$546.

## SOURCE OF FUNDS:

(1) State General Fund .....	810,000	
<hr/>		
Total Legislative Reference Service .....	810,000	810,000
<hr/>		

## 5. LEGISLATURE:

(a) Senate Operations Program ...	1,716,800
(b) House Operations and Support Program .....	2,575,200
(1) Copying Machine for Ways and Means Commit- tee, House Rules Commit- tee and Speaker's of the House Office .....	50,000

## SOURCE OF FUNDS:

(1) State General Fund .....	4,342,000	
<hr/>		
Total Legislature .....	4,342,000	4,342,000
<hr/>		



**REGULAR SESSION  
26th Day**

1933

**6. LEGISLATURES, NATIONAL  
CONFERENCE OF STATE:**

(a) Other Legislative Operations and Support Program .....	56,565
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**SOURCE OF FUNDS:**

(1) State General Fund .....	56,565	
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Total National Conference of State Legislatures .....	56,565	56,565
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**B. JUDICIAL:**

**1. COURT OF CIVIL APPEALS:**

(a) Court Operations Program .....	890,000
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**SOURCE OF FUNDS:**

(1) State General Fund .....	890,000	
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Total Court of Civil Appeals ..	890,000	890,000
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**2. COURT OF CRIMINAL  
APPEALS:**

(a) Court Operations Program .....	1,270,000
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**SOURCE OF FUNDS:**

(1) State General Fund .....	1,270,000	
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Total Court of Criminal Appeals .....	1,270,000	1,270,000
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**3. JUDICIAL INQUIRY  
COMMISSION:**

(a) Administrative Services Pro- gram .....	75,000
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**SOURCE OF FUNDS:**

(1) State General Fund .....	75,000	
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Total Judicial Inquiry Commission .....	75,000	75,000
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**4. JUDICIAL RETIREMENT  
SYSTEM:**

(a) Retirement Systems Program .	1,323,600
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**SOURCE OF FUNDS:**

(1) State General Fund .....	1,323,600	
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Total Judicial Retirement System .....	1,323,600	1,323,600
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**5. SUPREME COURT:**

(a) Court Operations Program .....		3,317,000
SOURCE OF FUNDS:		
(1) State General Fund .....	3,300,000	
(2) Federal, Local and Miscellaneous Funds .....		17,000
Total Supreme Court .....	3,300,000	17,000 3,317,000

**6. UNIFIED JUDICIAL SYSTEM:**

(Administrative Office of Courts)

(a) Court Operations Program .....		44,727,008
(b) Administrative Services Program .....		2,772,992
(c) Judicial Education and Training Program .....		300,000
SOURCE OF FUNDS:		
(1) State General Fund .....	47,800,000	
Total Unified Judicial System .....	47,800,000	47,800,000

**C. EXECUTIVE**

**1. ACADEMY OF HONOR,  
ALABAMA:**

(a) Historical Resources Management Program .....		850
SOURCE OF FUNDS:		
(1) State General Fund .....	850	
As provided in Section 41-11-6, <u>Code of Alabama</u> <u>1975</u> .....		
Total Alabama Academy of Honor .....	850	850

**2. ACCOUNTANCY, ALABAMA  
STATE BOARD OF PUBLIC:**

(a) Professional and Occupational Licensing and Regulation Program .....		253,000
The appropriation to the Ala-		

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bama State Board of Public  
Accountancy shall include a  
transfer to the State Personnel  
Department of \$73.

SOURCE OF FUNDS:

- (1) Alabama State Board of  
Public Accountancy Fund 253,000

As provided in Section 34-  
1-22, Code of Alabama  
1975. In addition to the  
amounts appropriated  
hereinabove to the State  
Board of Public Account-  
ancy, there is hereby ap-  
propriated such an  
amount as may be neces-  
sary to pay the refund of  
any application for license  
which may have been re-  
jected by the Board or  
withdrawn by request of  
applicant.

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Total Alabama State Board of Public Accountancy .....	253,000	253,000
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3. ADJUSTMENT, BOARD OF:

- (a) Special Services Program ..... 215,000

SOURCE OF FUNDS:

- (1) State General Fund ..... 15,000

For the General Fund  
Contribution to the total  
expenditure of \$750,000  
pursuant to Section 41-9-  
73, Code of Alabama 1975,  
as amended.

- (2) State General Fund, Esti-  
mated ..... 200,000

For expenditures as pro-  
vided in Section 31-3-2  
and Section 36-30-2, Code  
of Alabama 1975, as  
amended.

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Total Board of Adjustment ...	215,000	215,000
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4. AERONAUTICS, DEPARTMENT  
OF:

- (a) Airport Development and Aeronautical Support Program . . . 664,433

The appropriation to the Department of Aeronautics shall include a transfer to the State Personnel Department of \$219.

## SOURCE OF FUNDS:

- (1) Airport Development Fund. . . . . 664,433

As provided by Section 4-2-42, Code of Alabama 1975

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Total Department of Aeronautics . . . . .	664,433	664,433
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## 5. AGING, COMMISSION ON:

- (a) Planning and Advocacy for Elderly Program . . . . . 14,513,115

The appropriation to the Commission on Aging shall include a transfer to the State Personnel Department of \$1,057.

## SOURCE OF FUNDS:

- (1) State General Fund-Transfer . . . . . 950,000
- (2) Federal, Local and Miscellaneous Funds . . . . . 13,563,115

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Total Commission on Aging . . . . .	950,000	13,563,115	14,513,115
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6. AGRICULTURAL AND  
INDUSTRIAL EXHIBIT  
COMMISSION, ALABAMA:

- (a) Agricultural Development Services Program . . . . . 30,000

## SOURCE OF FUNDS:

- (1) State General Fund . . . . . 30,000

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Total Alabama Agricultural and Industrial Exhibit Commission . . . . .	30,000	30,000
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**7. AGRICULTURAL CENTER  
BOARD:**

(a) Agricultural Development Services Program .....	541,480
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The appropriation to the Agricultural Center Board shall include a transfer to the State Personnel Department of \$547.

**SOURCE OF FUNDS:**

(1) State General Fund .....	104,000	
For expense and awarding or prizes for fairs as provided in Section 2-7-2, <u>Code of Alabama 1975.</u>		
(2) State General Fund-Transfer .....	263,000	
(3) Livestock Coliseum Fund .....	174,480	
<hr/>		
Total Agricultural Center Board .....	367,000	174,480      541,480
<hr/>		

**8. AGRICULTURAL AND  
INDUSTRIES, DEPARTMENT  
OF:**

(a) Administrative Services Program .....	1,189,989
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(b) Agricultural Inspection Services Program .....	9,767,723
--	-----------

(c) Laboratory Analysis and Disease Control Program .....	3,716,157
---	-----------

(d) Agricultural Development Services Program .....	504,931
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(e) Marketing Development .....	150,000
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The appropriation to the Department of Agriculture and Industries shall include a transfer to the State Personnel Department of \$30,931.

**SOURCE OF FUNDS:**

(1) State General Fund-Transfer .....	6,225,000	
(2) Federal, Local and Miscellaneous Funds .....		2,174,800
(3) Shipping Point Inspection Fund .....		4,329,000

Pursuant to Sections 2-9-20 through 21, Code of Alabama 1975. All fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities.

(4) Agricultural Fund .....	2,600,000		
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Total Department of Agriculture and Industries ....	6,225,000	9,103,800	15,328,800
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#### 9. AIR TRANSPORTATION AND SERVICE, DEPARTMENT OF:

(a) Administrative Support Services Program .....	1,801,000
---	-----------

The appropriation to the Department of Air Transportation and Service shall include a transfer to the State Personnel Department of \$1,384.

#### SOURCE OF FUNDS:

(1) State General Fund-Transfer .....	1,696,000		
(2) Departmental Receipts ...	105,000		

Total Department of Air Transportation and Service ...	1,696,000	105,000	1,801,000
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#### 10. ALCOHOLIC BEVERAGE CONTROL BOARD, ALABAMA:

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(a) Alcoholic Beverage Management Program .....	22,189,448
(b) Licensing, Regulation and Enforcement Program .....	5,472,224
(c) Administrative Services Program .....	3,922,295

The appropriation to the Alabama Alcoholic Beverage Control Board shall include a transfer to the State Personnel Department of \$63,793, and to the Department of Mental Health of \$1,000,000.

**SOURCE OF FUNDS:**

(1) ABC Board Fund .....	31,583,967
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In addition to the above appropriations herein made, there is hereby appropriated for each additional retail store put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alabama Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation. In addition to the

above appropriation, it is further provided that, in the event any county or municipality of the State shall, during the fiscal period covered by this appropriation by proper referendum, authorize the legal sale of malt and brewed beverages within such county or municipality there is further appropriated, in addition to the amount herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.

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Total Alabama Alcoholic Beverage Control Board .....	31,583,967	31,583,967
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11. ARCHITECTS, BOARD FOR  
REGISTRATION OF:

- (a) Professional and Occupational  
Licensing and Regulation Pro-  
gram .....

150,000

The appropriation to the Board for Registration of Architects shall include a transfer



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to the State Personnel Department of \$109.

**SOURCE OF FUNDS:**

- |  |         |
|--|---------|
| (1) Fund of the Board for<br>Registration of Architects. | 150,000 |
|--|---------|

As provided in Section 34-  
2-41, Code of Alabama  
1975

Total Board for Registration of Architects .....	150,000	150,000
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**12. ARCHIVES AND HISTORY,  
DEPARTMENT OF:**

- |   |           |
|---|-----------|
| (a) Historical Resources Management Program ..... | 1,039,150 |
|---|-----------|

The appropriation to the Department of Archives and History shall include a transfer to the State Personnel Department of \$3,024.

**SOURCE OF FUNDS:**

- |   |           |
|---|-----------|
| (1) State General Fund .....                      | 1,025,000 |
| (2) Federal, Local, and Miscellaneous Funds ..... | 14,150    |

Total Department of Archives and History .....	1,025,000	14,150	1,039,150
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**13. ATTORNEY GENERAL, OFFICE  
OF THE:**

- |   |           |
|---|-----------|
| (a) Legal Advice and Legal Services Program ..... | 4,786,729 |
| (b) Fair Marketing Practices Program .....        | 400,730   |

The appropriation to the Office of the Attorney General shall include a transfer to the State Personnel Department of \$9,655.

**SOURCE OF FUNDS:**

- |  |           |
|--|-----------|
| (1) State General Fund-<br>Transfer .....        | 4,000,000 |
| (2) Transfer from Pensions<br>and Security ..... | 496,114   |

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(3) Federal, Local and Miscellaneous Funds .....		691,345	
<hr/>			
Total Office of the Attorney General .....	4,000,000	1,187,459	5,187,459
<hr/>			

**14. AUDITOR, STATE:**

(a) Fiscal Management Program ..		756,000	
The appropriation to the State Auditor shall include a transfer to the State Personnel Department of \$1,785.			
SOURCE OF FUNDS:			
(1) State General Fund .....	756,000		
<hr/>			
Total State Auditor .....	756,000		756,000
<hr/>			

**15. BANKING DEPARTMENT,  
STATE:**

(a) Charter, License, and Regulate Financial Institutions Program		2,288,842	
The appropriation to the State Banking Department shall include a transfer to the State Personnel Department of \$3,388.			
SOURCE OF FUNDS:			
(1) Banking Assessment Fees	1,827,542		
As provided in Section 5-2A-20, <u>Code of Alabama 1975</u> .			
(2) Bureau of Credit Unions .	213,000		
As provided in Section 5-17-7 and Section 5-2A-103, <u>Code of Alabama 1975</u> , as amended.			
(3) Loan Examination Fund .	248,300		
As provided in Section 5-2A-24, Section 5-16-38.1, and Section 5-18-5, <u>Code of Alabama 1975</u> , as amended.			
<hr/>			
Total State Banking Department .....		2,288,842	2,288,842
<hr/>			

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**16. BAR ASSOCIATION, ALABAMA  
STATE:**

(a) Professional and Occupational Licensing and Regulation Pro- gram .....	771,261
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**SOURCE OF FUNDS:**

(1) State Bar Association Fund. ....	771,261
---	---------

As provided in Section 34-  
3-4, Code of Alabama 1975

Total Alabama State Bar Association .....	771,261	771,261
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**17. BEAR CREEK DEVELOPMENT  
AUTHORITY:**

(1) Water Resource Development Program .....	237,429
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**SOURCE OF FUNDS:**

(1) State General Fund .....	47,179
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(2) Federal, Local and Miscel- laneous Funds .....	190,250
---	---------

Total Bear Creek Development Authority .....	47,179	190,250	237,429
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**18. BRIERFIELD IRONWORKS  
PARK:**

(a) Outdoor Recreation Sites and Services Program .....	103,607
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**SOURCE OF FUNDS:**

(1) State General Fund .....	25,000
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(2) Federal, Local and Miscel- laneous Funds .....	78,607
---	--------

Total Brierfield Ironworks Park .....	25,000	78,607	103,607
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**19. BUILDING COMMISSION,  
STATE:**

(a) Special Services Program .....	518,885
------------------------------------	---------

The appropriation to the State  
Building Commission shall in-  
clude a transfer to the State

Personnel Department of  
\$1,494.

## SOURCE OF FUNDS:

(1) State General Fund- Transfer .....	300,000		
(2) Federal, Local and Miscel- laneous Funds .....		218,885	
		<hr/>	
Total State Building Commission .....	300,000	218,885	518,885
		<hr/>	

20. CAHABA ADVISORY  
COMMITTEE:

(a) Historical Resources Manage- ment Program .....			207,300
SOURCE OF FUNDS:			
(1) State General Fund .....	21,300		
(2) Federal, Local and Miscel- laneous Funds .....		186,000	
		<hr/>	
Total Cahaba Advisory Committee .....	21,300	186,000	207,300
		<hr/>	

21. CHIROPRACTIC EXAMINERS,  
ALABAMA STATE BOARD OF:

(a) Professional and Occupational Licensing and Regulation Pro- gram .....			43,500
The appropriation to the Ala- bama State Board of Chiro- practic Examiners shall include a transfer to the State Person- nel Department of \$109.			
SOURCE OF FUNDS:			
(1) Alabama State Board of Chiropractic Examiner's Fund. ....		43,500	
As provided in Section 34- 24-143, <u>Code of Alabama</u> <u>1975</u> .			
		<hr/>	
Total Alabama State Board of Chiropractic Examiners .....		43,500	43,500
		<hr/>	

## 22. CONSERVATION AND

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**NATURAL RESOURCES,  
DEPARTMENT OF:**

(a) State Land Management Program.....	784,150
(b) Outdoor Recreation Sites and Services Program .....	11,928,217
(Of the above appropriation, \$75,000 shall be expended for Lake Guntersville State Park—for Capital Outlay.)	
(c) Marine Police Program .....	2,141,269
(d) Wildlife and Game Program ..	11,783,496
(Of the above appropriation to the Wildlife and Game Program, \$150,000 shall be expended for capital outlay purposes for construction and improvements for boat ramps on public streams as follows: Cullman County, \$100,000; Jackson County, \$50,000.	
(e) Marine Resources Program ...	1,527,500
Of the above appropriation, the amount of \$50,000 will be expended for the oyster relocation program.	
(f) Land and Water Conservation Program .....	1,200,000
(g) Administrative Services Program .....	2,175,135
(h) Land Survey Program .....	264,564
(i) Dothan Landmarks Foundation .....	50,000
The appropriation to the Department of Conservation and Natural Resources shall include Alabama's pro rata share of the Gulf States Marine Fisheries Commission operating expenses. The appropriation to the Department of Conservation and Natural Resources shall include such funds as are necessary for the maintenance, staff and repair of the Governor's official beach mansion.	

The appropriation to the Department of Conservation and Natural Resources shall include a transfer to the State Personnel Department of \$59,348.

**SOURCE OF FUNDS:**

(1) State General Fund- Transfer .....	1,075,000
(2) Alabama Recreation Capital Development Fund ...	651,000
(3) Game and Fish Fund ....	11,783,496
(4) State Lands Fund .....	784,150

The funds hereinabove appropriated from the State Lands Fund includes funds for analyzing, cataloging and monitoring mineral reserves and the development thereof on State lands including water and offshore areas.

(5) Marine Resources Fund ..	1,527,500
------------------------------	-----------

In addition to the monies hereinabove appropriated from the Marine Resources Fund, all monies derived from contracts, grants or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated and may be expended by the Commissioner of Conservation on such Marine Resources Division Programs or projects which he deems appropriate.

(6) Marine Police Fund .....	2,141,269
(7) State Parks Fund .....	9,752,217
(8) Administrative Funds ....	2,175,135

The funds hereinabove appropriated shall be paya-

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ble as provided in Section  
9-2-1 et seq., Code of Ala-  
bama 1975.

(9) Cigarette Tax .....	500,000		
(10) Land Survey Fund .....	264,564		
(11) Federal Land and Water Fund .....	1,200,000		
<hr/>			
Total Department of Conservation and Natural Resources .....	1,075,000	30,779,331	31,854,331
<hr/>			

23. CONTRACTORS, STATE  
LICENSING BOARD FOR  
GENERAL:

- (a) Professional and Occupational  
Licensing and Regulation Pro-  
gram ..... 283,375

The appropriation to the State  
Licensing Board for General  
Contractors shall include a  
transfer to the State Personnel  
Department of \$401.

SOURCE OF FUNDS:

- (1) State Licensing Board for  
General Contractors Fund. 283,375

Pursuant to Section 34-8-  
25, Code of Alabama 1975.  
In addition to the  
amounts appropriated  
hereinabove to the State  
Licensing Board for Gen-  
eral Contractors, there is  
hereby appropriated such  
an amount as may be nec-  
essary to pay the refund of  
any application for license  
which may have been re-  
jected by the Board or ap-  
plication withdrawn by re-  
quest of applicant.

Total State Licensing Board for General Contractors .....	283,375	283,375
<hr/>		

24. CORRECTIONS, DEPARTMENT  
OF:

- |  |            |
|--|------------|
| (a) Administrative Services and<br>Logistical Support Program... | 6,253,600  |
| (b) Institutional Services Correc-<br>tions Program .....        | 76,186,370 |
| (c) Correctional Industries Pro-<br>gram .....                   | 7,526,790  |

The appropriation to the De-  
partment of Corrections shall  
include a transfer to the State  
Personnel Department of  
\$134,726.

**SOURCE OF FUNDS:**

- |   |            |
|---|------------|
| (1) State General Fund-<br>Transfer .....   | 82,600,000 |
| (2) Department of Corrections<br>Fund ..... | 7,366,760  |

The Commissioner of Cor-  
rections is authorized to  
utilize funds herein approp-  
riated as matching con-  
tributions, where required  
and appropriate, to gener-  
ate additional funds which  
would effectively increase  
the appropriation for the  
Department of Correc-  
tions. Any such grant  
funds so generated and in  
direct support of the De-  
partment of Corrections'  
operations are also hereby  
appropriated.

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Total Department of Corrections .....	82,600,000	7,366,760	89,966,760
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**25. COSMETOLOGY, ALABAMA  
BOARD OF:**

- |  |         |
|--|---------|
| (a) Professional and Occupational<br>Licensing and Regulation Pro-<br>gram ..... | 447,000 |
|--|---------|

The appropriation to the Ala-  
bama Board of Cosmetology  
shall include a transfer to the  
State Personnel Department of  
\$656.



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**SOURCE OF FUNDS:**

(1) Alabama Board of Cosmetology Fund ..... 447,000

As provided in Section 34-7-42, Code of Alabama 1975.

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Total Alabama Board of Cosmetology .....	447,000	447,000
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**26. COUNSELING, ALABAMA  
BOARD OF EXAMINERS IN:**

(a) Professional and Occupational Licensing and Regulation Program ..... 42,600

**SOURCE OF FUNDS:**

(1) Alabama Board of Examiners in Counseling Fund ..... 42,600

As provided in Section 34-8A-6, Code of Alabama 1975.

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Total Alabama Board of Examiners in Counseling .....	42,600	42,600
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**27. CRIMINAL JUSTICE  
INFORMATION CENTER,  
ALABAMA:**

(a) Criminal Justice Information Services Program ..... 2,595,592

The appropriation to the Alabama Criminal Justice Information Center shall include a transfer to the State Personnel Department of \$3,206.

**SOURCE OF FUNDS:**

(1) State General Fund-Transfer ..... 2,033,000

(2) Federal, Local and Miscellaneous Funds ..... 562,592

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Total Alabama Criminal Justice Information Center ...	2,033,000	562,592	2,595,592
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**28. DEVELOPMENT OFFICE,  
ALABAMA:**

- |   |           |
|---|-----------|
| (a) Promotional Development Program-Alabama Film Commission .....     | 205,000   |
| (b) Administrative Services Program—Office of Minority Business ..... | 156,187   |
| (c) Industrial Development Program-Alabama Development Office .....   | 2,371,000 |

The appropriation to the Alabama Development Office shall include a transfer to the State Personnel Department of \$2,441.

**SOURCE OF FUNDS:**

(1) State General Fund-Transfer-Alabama Development Office .....	2,321,000		
(2) State General Fund-Transfer-Office of Minority Business .....	94,000		
(3) State General Fund-Transfer-Alabama Film Commission .....	205,000		
(4) Federal, Local and Miscellaneous Funds .....		112,187	
<hr/>			
Total Alabama Development Office .....	2,620,000	112,187	2,732,187
<hr/>			

**29. DISTRICT ATTORNEYS:**

- |                                    |           |
|------------------------------------|-----------|
| (a) Court Operations Program ..... | 8,968,000 |
|------------------------------------|-----------|

The proposed spending plan included in the above total is as follows:

Salaries of District Attorneys .....

2,201,984

Salary of elected Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit .....

50,130

For the use of the elected Assistant District Attorney of

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the Bessemer Division of the 10th Judicial Circuit .....	97,157
Salaries and expenses of Supernumerary District Attorneys .....	826,421
For use in the District Attorney's Office of the 1st Judicial Circuit .....	83,891
For use in the District Attorney's Office of the 2nd Judicial Circuit .....	71,921
For use in the District Attorney's Office of the 3rd Judicial Circuit .....	122,728
For use in the District Attorney's Office of the 4th Judicial Circuit .....	333,386
For use in the District Attorney's Office of the 5th Judicial Circuit .....	287,043
For use in the District Attorney's Office of the 6th Judicial Circuit .....	231,130
For use in the District Attorney's Office of the 7th Judicial Circuit .....	180,836
For use in the District Attorney's Office of the 8th Judicial Circuit .....	110,184
For use in the District Attorney's Office of the 9th Judicial Circuit .....	104,167
For use in the District Attorney's Office of the 10th Judicial Circuit .....	362,579

For use in the District Attorney's Office of the 11th Judicial Circuit . . . . .	91,309
For use in the District Attorney's Office of the 12th Judicial Circuit . . . . .	218,621
For use in the District Attorney's Office of the 13th Judicial Circuit . . . . .	341,152
For use in the District Attorney's Office of the 14th Judicial Circuit . . . . .	95,392
For use in the District Attorney's Office of the 15th Judicial Circuit . . . . .	335,807
For use in the District Attorney's Office of the 16th Judicial Circuit . . . . .	152,911
For use in the District Attorney's Office of the 17th Judicial Circuit . . . . .	58,204
For use in the District Attorney's Office of the 18th Judicial Circuit . . . . .	170,247
For use in the District Attorney's Office of the 19th Judicial Circuit . . . . .	101,134
For use in the District Attorney's Office of the 20th Judicial Circuit . . . . .	147,666
For use in the District Attorney's Office of the 21st Judicial Circuit . . . . .	112,353
For use in the District Attorney's Of-	

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Office of the 22nd Judicial Circuit . . . . .	95,712
For use in the District Attorney's Office of the 23rd Judicial Circuit . . . . .	246,468
For use in the District Attorney's Office of the 24th Judicial Circuit . . . . .	89,274
For use in the District Attorney's Office of the 25th Judicial Circuit . . . . .	85,068
For use in the District Attorney's Office of the 26th Judicial Circuit . . . . .	150,572
For use in the District Attorney's Office of the 27th Judicial Circuit . . . . .	113,979
For use in the District Attorney's Office of the 28th Judicial Circuit . . . . .	140,801
For use in the District Attorney's Office of the 29th Judicial Circuit . . . . .	144,698
For use in the District Attorney's Office of the 30th Judicial Circuit . . . . .	144,667
For use in the District Attorney's Office of the 31st Judicial Circuit . . . . .	87,811
For use in the District Attorney's Office of the 32nd Judicial Circuit . . . . .	106,346
For use in the District Attorney's Office of the 33rd Judicial Circuit . . . . .	101,396
For use in the Dis-	

trict Attorney's Of- fice of the 34th Ju- dicial Circuit . . . . .	79,579
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For use in the Dis- trict Attorney's Of- fice of the 35th Ju- dicial Circuit . . . . .	59,175
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For use in the Dis- trict Attorney's Of- fice of the 36th Ju- dicial Circuit . . . . .	72,245
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For use in the Dis- trict Attorney's Of- fice of the 37th Ju- dicial Circuit . . . . .	95,996
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For use in the Dis- trict Attorney's Of- fice of the 38th Ju- dicial Circuit . . . . .	109,474
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For use in the Dis- trict Attorney's Of- fice of the 39th Ju- dicial Circuit . . . . .	81,386
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Appropriations of Salaries of Person- nel Established by Statute are esti- mated. Travel Ex- pense of District Attorneys . . . . .	<u>75,000</u> 8,968,000
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## SOURCE OF FUNDS:

(1) State General Fund . . . . .	8,968,000
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Total District Attorneys . . . . .	8,968,000	8,968,000
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30. ECONOMIC AND COMMUNITY  
AFFAIRS, ALABAMA  
DEPARTMENT OF:

(a) Administrative Program . . . . .	3,257,887
(b) Planning Program . . . . .	46,775,531
(c) Special Services Program . . . . .	23,119,446
(d) Skills Enhancement and Em- ployment Opportunities Pro- gram . . . . .	65,467,322
(e) Energy Management Program . . . . .	5,212,259

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(f) Traffic Control and Accident Prevention Program .....	2,241,679
(g) Law Enforcement Planning and Development Program ...	1,776,338
Of the above appropriation to the Law Enforcement Planning and Development Program, \$40,000 shall be allocated to the Marshall County Attention Home and \$20,000 shall be allocated to Glory House.	
(h) Administrative Support Services Program-Federal Property Assistance .....	949,358
(i) Regional Planning Commission Program .....	300,000
(j) To Support Federally Funded Programs-CSA Division .....	250,000

The appropriation to the Alabama Department of Economic and Community Affairs shall include a transfer to the State Personnel Department of \$14,755.

**SOURCE OF FUNDS:**

(1) State General Fund-Transfer-Planning Programs .....	3,575,531
(2) State General Fund-Transfer-Special Services Program .....	32,021
(3) State General Fund-Transfer-Energy Management Program .....	529,732
(4) State General Fund-Transfer-Traffic Control and Accident Prevention Program .....	168,378
(5) State General Fund-Transfer-Law Enforcement Planning and Development Program .....	339,338
(6) State General Fund-Transfer-Skills Enhancement and Employment Opportunities Program...	150,000
(7) State General Fund-	

Transfer-To Support Federally Funded Programs- CSA Division .....	250,000		
(8) Federal, Local and Miscellaneous Funds .....		143,376,367	
(9) Federal Property Assistance Fund .....		928,453	
<hr/>			
Total Alabama Department of Economic and Community Affairs .....	5,045,000	144,304,820	149,349,820
<hr/>			

### 31. EMERGENCY MANAGEMENT AGENCY:

(a) Readiness and Recovery Program .....			2,700,198
The appropriation to the Emergency Management Agency shall include a transfer to the State Personnel Department of \$2,004.			
SOURCE OF FUNDS:			
(1) State General Fund-Transfer .....	721,000		
(2) Federal, Local and Miscellaneous Funds .....		1,979,198	
<hr/>			
Total Emergency Management Agency .....	721,000	1,979,198	2,700,198
<hr/>			

### 32. ENGINEERS AND LAND SURVEYORS, STATE BOARD OF REGISTRATION FOR PROFESSIONAL:

(a) Professional and Occupational Licensing and Regulation Program .....			311,260
The appropriation to the State Board of Registration for Professional Engineers and Land Surveyors shall include a transfer to the State Personnel Department of \$291.			
SOURCE OF FUNDS:			
(1) Professional Engineers' Fund .....		311,260	



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As provided in Section 34-  
11-36, Code of Alabama  
1975.

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Total State Board of Registration for Professional Engineers and Land Surveyors	311,260	311,260
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33. ENVIRONMENTAL  
MANAGEMENT, DEPARTMENT  
OF:

(a) Environmental Management Program .....	8,595,387
(b) Special Projects Program .....	300,000

The appropriation to the De-  
partment of Environmental  
Management shall include a  
transfer to the State Personnel  
Department of \$15,119.

SOURCE OF FUNDS:

(1) State General Fund- Transfer .....	2,349,318
(2) Environmental Manage- ment Fund .....	6,546,069

As provided in Section 22-  
22A-11, Code of Alabama  
1975 (1983 Cum. Supp.).

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Total Department of Environmental Management ..	2,349,318	6,546,069	8,895,387
--	-----------	-----------	-----------

34. ETHICS COMMISSION,  
ALABAMA:

(a) Regulation of Public Officials and Employees Program .....	251,000
---	---------

The appropriation to the Eth-  
ics Commission shall include a  
transfer to the State Personnel  
Department of \$547.

SOURCE OF FUNDS:

(1) State General Fund .....	251,000
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Total Alabama Ethics Commission .....	251,000	251,000
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35. FARMERS' MARKET  
AUTHORITY:

- |  |         |
|--|---------|
| (a) Agricultural Development Ser-<br>vices Program ..... | 107,077 |
|--|---------|

The appropriation to the  
Farmers' Market Authority  
shall include a transfer to the  
State Personnel Department of  
\$182.

## SOURCE OF FUNDS:

- |  |        |        |         |
|--|--------|--------|---------|
| (1) State General Fund-<br>Transfer for Administra-<br>tion .....                | 73,200 |        |         |
| (2) Farmers' Market Author-<br>ity Fund-Revenue and<br>Capital Outlay Account .. |        | 33,877 |         |
|  |        |        |         |
| Total Farmers' Market<br>Authority .....   | 73,200 | 33,877 | 107,077 |

## 36. FINANCE, DEPARTMENT OF:

- |  |           |
|--|-----------|
| (a) Fiscal Management Program ..                           | 2,798,890 |
| (b) Administrative Support Ser-<br>vices Program .....     | 3,959,445 |
| (c) Purchase of Equipment for<br>Purchasing Division ..... | 50,000    |

The appropriation to the De-  
partment of Finance shall in-  
clude a transfer to the State  
Personnel Department of  
\$37,853.

## SOURCE OF FUNDS:

- |                                |           |           |
|--------------------------------|-----------|-----------|
| (1) State General Fund .....   | 6,808,335 |           |
|                                |           |           |
| Total Department of Finance .. | 6,808,335 | 6,808,335 |

37. FINANCE, DEPARTMENT OF,  
STATE INSURANCE FUND:

- |  |            |
|--|------------|
| (a) Administrative Support Ser-<br>vices Program ..... | 12,281,198 |
|--|------------|

## SOURCE OF FUNDS:

- |                                |            |
|--------------------------------|------------|
| (1) State Insurance Fund ..... | 12,281,198 |
|--------------------------------|------------|

As provided in Sections

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41-15-1 through 13, Code  
of Alabama 1975.

Total Department of Finance- State Insurance Fund .....	12,281,198	12,281,198
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**38. FOREIGN TRADE RELATIONS  
COMMISSION:**

(a) Special Services Program .....		65,000
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The appropriation to the Foreign Trade Relations Commission shall include a transfer to the State Personnel Department of \$36.

**SOURCE OF FUNDS:**

(1) State General Fund .....	65,000	
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Total Foreign Trade Relations Commission .....	65,000	65,000
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**39. FORENSIC SCIENCES,  
DEPARTMENT OF:**

(a) Forensic Science Service Program .....		4,515,000
--	--	-----------

The appropriation to the Department of Forensic Sciences shall include a transfer to the State Personnel Department of \$5,938.

**SOURCE OF FUNDS:**

(1) State General Fund .....	4,200,000	
------------------------------	-----------	--

(2) State General Fund-Capital Outlay .....	100,000	
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(3) Federal, Local and Miscellaneous Funds .....	215,000	
--	---------	--

Total Department of Forensic Sciences .....	4,300,000	215,000	4,515,000
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**40. FORESTERS, ALABAMA STATE  
BOARD OF REGISTRATION  
FOR:**

(a) Professional and Occupational Licensing and Regulation Program .....			17,900
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## SOURCE OF FUNDS:

(1) Professional Foresters' Fund .....	17,900
--	--------

As provided in Section 34-12-36, Code of Alabama 1975.

Total Alabama State Board of Registration for Foresters .....	17,900	17,900
---	--------	--------

41. FORESTRY COMMISSION,  
ALABAMA:

(a) Regional Operations Program .	9,204,520
(b) Forest Resource Planning and Development Program .....	3,289,310
(c) Executive Administration Program .....	354,335
(d) Administrative Services Program .....	1,353,835

The appropriation to the Alabama Forestry Commission shall include a transfer to the State Personnel Department of \$32,643.

## SOURCE OF FUNDS:

(1) State General Fund-Transfer .....	7,850,000
(2) Federal and Local Funds .	2,250,000
(3) Forestry Commission Fund. ....	4,102,000

Of the above appropriations, \$550,000 shall be used for rural and community fire protection, and \$100,000 shall be allocated to Volunteer fire departments.

Total Alabama Forestry Commission .....	7,850,000	6,352,000	14,202,000
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42. FUNERAL SERVICES,  
ALABAMA BOARD OF:

(a) Professional and Occupational

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Licensing and Regulation Program .....	100,000
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The appropriation to the Alabama Board of Funeral Service shall include a transfer to the State Personnel Department of \$109.

**SOURCE OF FUNDS:**

(1) Alabama Funeral Directors and Embalmers Fund .....	100,000
--	---------

As provided in Section 34-13-23, Code of Alabama 1975, as amended .....

Total Alabama Board of Funeral Service .....	100,000	100,000
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**43. GEOLOGICAL SURVEY:**

(a) Discovery and Development of Mineral, Energy and Water Resources, Geologic Research and Topographic Mapping Program. ....	1,985,472
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The appropriation to the Geological Survey shall include a transfer to the State Personnel Department of \$5,028.

**SOURCE OF FUNDS:**

(1) State General Fund .....	1,350,000
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(2) Federal, Local and Miscellaneous Funds .....	635,472
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Total Geological Survey .....	1,350,000	635,472	1,985,472
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**44. GORGAS MEMORIAL BOARD:**

(a) Historical Resources Management Program .....	9,945
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**SOURCE OF FUNDS:**

(1) State General Fund .....	8,645
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As provided in Section 41-9-220, Code of Alabama 1975 and an additional amount.

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(2) Federal, Local and Miscellaneous Funds .....				1,300	
Total Gorgas Memorial Board .....				8,645	9,945
<hr/>					
45. GOVERNOR'S CONTINGENCY FUND:					
(a) Executive Direction Program .....					400,000
SOURCE OF FUNDS:					
(1) State General Fund .....				400,000	
<hr/>					
Total Governor's Contingency Fund .....				400,000	400,000
<hr/>					
46. GOVERNOR'S MANSION ADVISORY BOARD:					
(a) Historical Resources Management Program .....					8,500
SOURCE OF FUNDS:					
(1) State General Fund Transfer .....				8,500	
<hr/>					
Total Governor's Mansion Advisory Board .....				8,500	8,500
<hr/>					
47. GOVERNOR'S MANSION AND COASTAL MANSION:					
(a) Executive Direction Program .....					177,000
SOURCE OF FUNDS:					
(1) State General Fund .....				177,000	
<hr/>					
Total Governor's Mansion and Coastal Mansion .....				177,000	177,000
<hr/>					
48. GOVERNOR'S OFFICE:					
(a) Executive Direction Program .....					1,358,000
The appropriation to the Governor's Office shall include a transfer to the State Personnel Department of \$2,732.					
SOURCE OF FUNDS:					
(1) State General Fund .....				1,358,000	
<hr/>					
Total Governor's Office .....				1,358,000	1,358,000
<hr/>					

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1963

**49. GOVERNOR'S OFFICE-LEGAL:**

(a) Executive Direction Program .		102,000
SOURCE OF FUNDS:		
(1) State General Fund . . . . .	102,000	
	<hr/>	
Total Governor's Office-Legal .	102,000	102,000
	<hr/>	

**50. GOVERNOR'S VOLUNTARY  
CITIZEN PARTICIPATION:**

(a) Executive Direction Program .		59,000
SOURCE OF FUNDS:		
(1) Federal Funds . . . . .	59,000	
	<hr/>	
Total Governor's Voluntary Citizen Participation . . . . .	59,000	59,000
	<hr/>	

**51. HEALTH, DEPARTMENT OF  
PUBLIC:**

(a) Clinical Health Services Pro- gram . . . . .	42,257,304
(b) Health Support Services Pro- gram . . . . .	48,616,383

Of this amount \$6,577,885 shall go to support local health department services of which \$3,685,000 shall be used to provide a minimum staff in each of the sixty-seven counties, and the remaining amount shall be distributed on a one-to-one match with locally appropriated funds for the support of local health services on a per capita basis. At the end of the first quarter, any unmatched funds may be distributed to other counties with appropriate matching funds.

(c) Administrative Services Pro- gram . . . . .	4,506,456
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The appropriation to the Department of Public Health shall include a transfer to the State Personnel Department of \$128,132.

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## SOURCE OF FUNDS:

(1) State General Fund .....	16,000,000		
(2) Cigarette Tax-.01 .....		1,175,000	
As provided in Section 40-25-2 and Section 40-25-23, <u>Code of Alabama 1975</u> , as amended.			
(3) Cigarette Tax-.02 .....		2,165,116	
As provided in Section 40-25-2 and Section 40-25-23, <u>Code of Alabama 1975</u> , as amended.			
(4) Vital Statistics Fund .....		1,409,239	
(5) Hospital Licensing Fund .....		205,000	
(6) Emergency Medical Services Fund .....		40,000	
As provided in Section 22-18-4, <u>Code of Alabama 1975</u> .			
(7) Local Health Departments.....		31,398,707	
(8) Nuclear Monitoring Fund .....		100,000	
(9) Radiation Safety Fund .....		50,000	
(10) Miscellaneous Funds .....		3,601,773	
(11) Federal Funds .....		39,235,308	
<hr/>			
Total Department of Public Health .....	16,000,000	79,380,143	95,380,143

## 51A. HEALTH PLANNING AGENCY:

(a) Health Support Services Program .....		2,130,700	
The appropriation to the Health Planning Agency shall include a transfer to the State Personnel Department of \$1,639.			
SOURCE OF FUNDS:			
(1) State General Fund .....	220,700		
(2) Certificate of Need .....		460,000	
(3) Federal, Local and Miscellaneous Funds .....		1,450,000	
<hr/>			
Total Health Planning Agency .....	220,700	1,910,000	2,130,700



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**52. HEARING AID DEALERS,  
ALABAMA BOARD OF:**

(a) Professional and Occupational Licensing and Regulation Pro- gram .....	9,500
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**SOURCE OF FUNDS:**

(1) State Board of Health— Hearing Aid Fund .....	9,500
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As provided in Section 34-  
14-33, Code of Alabama  
1975.

Total Alabama Board of Hearing Aid Dealers .....	9,500	9,500
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**53. HEATING AND AIR  
CONDITIONING  
CONTRACTORS, BOARD OF:**

(a) Professional and Occupational Licensing and Regulation Pro- gram .....	97,552
--	--------

The appropriation to the  
Board of Heating and Air Con-  
ditioning Contractors shall in-  
clude a transfer to the State  
Personnel Department of \$146.

**SOURCE OF FUNDS:**

(1) Heating and Air Condi- tioning Contractors Fund.	97,552
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Total Board of Heating and Air Conditioning Contractors ..	97,552	97,552
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**54. ALABAMA HERITAGE TRUST  
FUND:**

(a) Fiscal Management Program ..	20,000
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**SOURCE OF FUNDS:**

(1) Heritage Trust Income ...	20,000
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Total Alabama Heritage Trust Fund .....	20,000	20,000
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**55. HIGHWAY DEPARTMENT:**

(a) Central Administration Pro- gram .....	8,227,77
---	----------

(b) Division and District Supervision Program .....	16,079,29
(c) Operations & Support Services Program .....	7,118,870
(d) Maintenance Program .....	83,244,241
(e) Non-Programmatic Expenditures.....	40,590,134
Proposed Spending Plan for the above (e) includes the following:	
Debt Service.....	39,934,675
Equipment—Other than Automotive ..	655,459
(f) Construction-Federal Aid Program .....	403,281,987
Proposed Spending Plan for the above (f) includes the following:	
Federal Aid Matching .....	55,987,188
Non-Participating Work on Federal Projects .....	1,000,000
Federal Aid .....	346,294,799
(g) Construction-State Program ..	15,000,000
(h) Operations-Land and Buildings .....	1,339,000

The appropriation to the Highway Department shall include a transfer to the State Personnel Department of \$271,601.

#### SOURCE OF FUNDS:

(1) State General Fund-Transfer .....	75,000
(2) Public Road and Bridge Fund .....	228,511,504
(3) Federal Aid .....	346,294,799

There is hereby appropriated, for payment of the principal of and the interest on all bonds heretofore or hereafter issued for public highways and bridge purposes, or either, by the State of Alabama, Alabama Highway Author-

ity, Alabama Federal Aid Highway Finance Authority, or Alabama Highway Finance Corporation, a total of \$39,934,675 or so much as may be necessary for payment of said principal and interest at their respective maturities, of the revenues pledged for such payment. The Highway Director with the consent of the Governor and the Finance Director shall have the authority to transfer any appropriation or any portion thereof between and among subsections, (a), (b), (c), (d), (e), (f), (g), (h), of this section whenever such transfer shall be necessary to assure maximum utilization of Federal matching Funds which shall become available. In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable. In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:

- (1) the appropriations made for Debt Service in section (e) hereof shall be paid in full-
- (2) the appropriations from the revenues accruing to the State Highway Department that are herein made for the purposes referred to in Sections (a), (b), (c), (d), (e), (f), (g), (h) except for Debt Service, hereof shall be allocated among the purposes

referred to in said Sections in such order and with such priorities as the State Highway Director shall from time to time direct. The funds appropriated in section (f) hereof, for the matching Federal funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purpose for which such appropriation was made. In addition to all appropriations hereinabove made there is hereby appropriated to the State Highway Department all Federal Funds accruing thereto to be expended only for the purpose for which such funds are made available. Not later than ninety (90) days following the end of each fiscal year for which appropriations are made herein, the State Highway Director shall transmit to the Governor, Lieutenant Governor, and each member of the Legislature, a report stating the portions of each appropriation made herein that have been spent in each county in the State during the fiscal year then ended.

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Total Highway Department . . .	75,000	574,806,303	574,881,303
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**56. HISTORIC BLAKELEY  
AUTHORITY:**

(a) Tourism and Travel Promotion Program . . . . .	145,733
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**SOURCE OF FUNDS:**

(1) State General Fund . . . . .	125,733
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(2) Federal, Local and Miscellaneous Funds .....	20,000	
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Total Historic Blakeley Authority .....	125,733	20,000	145,733
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**57. HISTORIC CHATTAHOOCHEE COMMISSION:**

(a) Historical Resources Management Program .....		132,750	
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**SOURCE OF FUNDS:**

(1) State General Fund .....	80,000		
(2) Federal, Local and Miscellaneous Funds .....		52,750	

Total Historic Chattahoochee Commission .....	80,000	52,750	132,750
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**58. HISTORICAL COMMISSION, ALABAMA:**

(a) Historical Resources Management Program .....		1,137,475	
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(b) Historical Resources Management Program-Capital Outlay .....		500,000	
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The appropriation to the Alabama Historical Commission shall include a transfer to the State Personnel Department of \$2,696.

**SOURCE OF FUNDS:**

(1) State General Fund-Transfer .....	537,908		
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The State General Fund appropriation shall be distributed as follows:

Historical Commission, Alabama .....	384,586		
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Historical Commission, Alabama-La Grange .....	8,140		
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Historical Commission, Alabama-Richmond P. Hobson Memorial Board .....	5,994		
--	-------	--	--

Historical Commission, Alabama-Fort Morgan .....	105,938		
Historical Commission, Alabama-Fort Toulouse .....	21,250		
Historical Commission, Alabama-John T. Morgan House, Selma .....	12,000		
(2) State General Fund-Transfer-Capital Outlay ..		500,000	
The State General Fund Transfer for Capital Outlay shall be distributed as follows:			
Cahaba .....	200,000		
John T. Morgan House .....	50,000		
Fendall Hall .....	250,000		
(3) Federal, Local and Miscellaneous Funds .....		599,567	
<hr/>			
Total Alabama Historical Commission .....	1,037,908	599,567	1,637,475
<hr/>			

#### 59. INDUSTRIAL RELATIONS, DEPARTMENT OF:

(a) Unemployment Compensation Program .....	15,137,02
(b) Skills Enhancement and Employment Opportunities Program .....	18,056,91
(c) Industrial Safety and Accident Prevention Program .....	6,707,90
(d) Administrative Services Program .....	7,690,02
(e) Employment and Social Opportunities Program .....	387,97

The appropriation to the Department of Industrial Relations shall include a transfer to the State Personnel Department of \$149,335.

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1971

**SOURCE OF FUNDS:**

(1) State General Fund .....	750,000		
(2) Federal, Local and Miscellaneous Funds .....		47,229,839	

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Total Department of Industrial Relations .....	750,000	47,229,839	47,979,839
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**60. INSURANCE, DEPARTMENT  
OF:**

(a) Regulatory Services Program .....	1,556,484
---------------------------------------	-----------

The appropriation to the Department of Insurance shall include a transfer to the State Personnel Department of \$4,117.

**SOURCE OF FUNDS:**

(1) State General Fund .....	1,260,000		
(2) Fire Marshals' Fund .....		296,484	

As provided in Section 24-5-10, Code of Alabama 1975, as amended. Any balance in excess of \$50,000 at the end of the fiscal year shall be transferred to the State General Fund.

Total Department of Insurance .....	1,260,000	296,484	1,556,484
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**61. INSURANCE BOARD, STATE  
EMPLOYEES':**

(a) Administrative Support Services Program .....	75,000
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The appropriation to the State Employees' Insurance Board shall include a transfer to the State Personnel Department of \$73.

**SOURCE OF FUNDS:**

(1) State General Fund .....	75,000
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Total State Employees' Insurance Board .....	75,000	75,000
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62. INTERIOR DESIGNERS,  
ALABAMA STATE BOARD OF  
REGISTRATION FOR:

- |  |       |
|--|-------|
| (a) Professional and Occupational<br>Licensing and Regulation Pro-<br>gram ..... | 4,200 |
|--|-------|

## SOURCE OF FUNDS:

- |                                |       |
|--------------------------------|-------|
| (1) Interior Designers Fund. . | 4,200 |
|--------------------------------|-------|

As provided in Section 34-  
15A-7, Code of Alabama  
1975 (1983 Cum. Supp.).

Total Alabama State Board of  
Registration for Interior  
Designers .....

4,200	4,200
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## 63. LABOR, DEPARTMENT OF:

- |                                   |         |
|-----------------------------------|---------|
| (a) Regulatory Services Program . | 299,000 |
|-----------------------------------|---------|

The appropriation to the Labor  
Department shall include a  
transfer to the State Personnel  
Department of \$546.

## SOURCE OF FUNDS:

- |                              |         |
|------------------------------|---------|
| (1) State General Fund ..... | 254,000 |
|------------------------------|---------|

- |   |        |
|---|--------|
| (2) Federal, Local and Miscel-<br>laneous Funds ..... | 45,000 |
|---|--------|

Total Department of Labor ...

254,000	45,000	299,000
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64. LANDSCAPE ARCHITECTS,  
BOARD OF EXAMINERS OF:

- |  |        |
|--|--------|
| (a) Professional and Occupational<br>Licensing and Regulation Pro-<br>gram ..... | 11,645 |
|--|--------|

## SOURCE OF FUNDS:

- |  |        |
|--|--------|
| (1) Landscape Architects<br>Fund ..... | 11,645 |
|--|--------|

As provided in Section 34-  
17-6, Code of Alabama  
1975.

Total Board of Examiners of  
Landscape Architects .....

11,645	11,645
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**65. LIQUEFIED PETROLEUM GAS  
BOARD:**

- (a) Regulatory Services Program . 232,000

The appropriation to the Liquefied Petroleum Gas Board shall include a transfer to the State Personnel Department of \$546.

**SOURCE OF FUNDS:**

- (1) Liquefied Petroleum Gas Board Fund ..... 232,000
- 

Total Liquefied Petroleum Gas Board ..... 232,000      232,000

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**66. MEDICAID AGENCY, ALABAMA:**

- (a) Medical Assistance through Medicaid Program ..... 435,361,400

The appropriation to the Alabama Medicaid Agency shall include a transfer to the State Personnel Department of \$16,941.

**SOURCE OF FUNDS:**

- (1) State General Fund-Transfer ..... 101,354,228
- (2) Transfer from Pensions and Security ..... 528,000
- (3) Transfer from Mental Health ..... 19,101,600
- (4) Federal, Local and Miscellaneous Funds ..... 314,377,572
- 

Total Alabama Medicaid Agency. .... 101,354,228    334,007,172    435,361,400

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**67. MENTAL HEALTH,  
DEPARTMENT OF:**

- (a) Institutional Treatment and Care-Mental Illness Program . 71,094,684
- (b) Institutional Treatment and Care-Mental Retardation Program ..... 57,488,885
- (c) Institutional Treatment and

Care-Criminally Insane Program .....	2,721,160
(d) Non-Institutional Treatment and Care-Program .....	16,800,642
(e) Administrative Services Program .....	3,849,477
(f) Cedar Lodge Alcohol Treatment Center-Capital Outlay ..	175,000
(g) Community Mental Health Program .....	19,738,700

It is the intent of the Legislature that this appropriation be used to fund Community Mental Health Programs and that none of said appropriation be shifted to any other program. The appropriation herein provided shall be for the provision of community mental illness and substance abuse programs and services operated by Mental Health/Mental Retardation Boards created pursuant to Section 22-51-1 et seq., Code of Alabama 1975, and certified by the Department of Mental Health. In the event that no such program is certified by the Department of Mental Health in a particular catchment area, funds under this appropriation may be expended through other certified community programs in said catchment area. Of the appropriation herein-above made to the Department of Mental Health, there shall be at least \$5,200,000 expended for the treatment of rehabilitation for and education on alcohol and drug abuse. The appropriation to the Department of Mental Health shall include a transfer to the State Personnel Department of \$383,520.

## SOURCE OF FUNDS:

(1) Special Mental Health Trust Fund .....	104,479,595
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For Operations and Maintenance of the State Mental Health Department including the purchase of drugs for medically indigent mental patients not hospitalized at time of receiving drugs at the Alabama State Hospitals.

(2) Special Mental Health Trust Fund-Community Programs .....	10,525,871	
(3) Transfer from ABC Profits .....	1,000,000	
(4) Cigarette Tax—\$.01 .....	850,000	
(5) Cigarette Tax—\$.02 .....	4,600,000	
(6) Transfer from Pensions and Security-Title XX Funds-Community Programs .....	4,500,000	
(7) Federal, Local and Miscellaneous Funds .....	45,913,082	
<hr/>		
Total Department of Mental Health .....	171,868,548	171,868,548
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In addition to the appropriations made hereinabove, there is also hereby appropriated all funds, as determined by the State Budget Officer, that will accrue to the Special Mental Health Trust Fund from the passage of House Bills 206 and 615 of the 1984 Regular Legislative Session.

**68. MILITARY DEPARTMENT:**

(a) Military Operations Program .	4,725,500
(b) Capital Outlay .....	674,500

The appropriation to the Military Department shall include a transfer to the State Personnel Department of \$11,403.

## SOURCE OF FUNDS:

(1) State General Fund-Operations .....	1,377,426	
(2) State General Fund-Quarterly Allowances Headquarters-Regular Allowance Units to be used solely for operating expenses; provided, that no more than \$4,500 shall be allotted in any fiscal year for the Alabama National Guard Headquarters .....	1,192,590	
(3) State General Fund-Transfer-Capital Outlay for Architect and Engineering Services and specifications and construction of facilities .....	674,500	
(4) State General Fund-Active Military Service .....	142,900	
(5) State General Fund-Transfer to Armory Commission .....	2,007,584	
(6) State General Fund-Dropping Allowance .....	5,000	
<hr/>		
Total Military Department ...	5,400,000	5,400,000
<hr/>		

69. MILITARY DEPARTMENT-  
ARMORY COMMISSION OF  
ALABAMA:

(a) Military Operations Program . 3,504,10

## SOURCE OF FUNDS:

(1) Transfer from Military Department .....	2,007,584
(2) Federal, Local and Miscellaneous Funds .....	1,496,517

The funds hereinabove appropriated to the Armory Commission shall be payable from the funds in the State Treasury to the credit of the Armory Commission and the appropriation hereinabove made includes the appropriation

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made for the care, maintenance, and construction of facilities. Provided, however, that the last Federal Government service contract reimbursement shall not revert to the State General Fund. Any surplus remaining in the Armory Commission Fund at the end of the fiscal year in excess of \$50,000 shall be transferred to the State General Fund.

Total Armory Commission of Alabama .....	3,504,101	3,504,101
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**70. MOTOR SPORTS HALL OF FAME:**

(a) Tourism and Travel Promotion Program .....		75,000
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**SOURCE OF FUNDS:**

(1) State General Fund .....	75,000	
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Total Motor Sports Hall of Fame .....	75,000	75,000
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**71. MUSIC HALL OF FAME BOARD:**

(a) Fine Arts Program .....		55,500
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**SOURCE OF FUNDS:**

(1) State General Fund .....	35,000	
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(2) Federal, Local and Miscellaneous Funds .....		20,500
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Total Music Hall of Fame Board .....	35,000	20,500	55,500
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**72. NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS OF:**

(a) Professional and Occupational Licensing and Regulation Program .....		40,000
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The appropriation to the Board of Examiners of Nursing

Home Administrators shall include a transfer to the State Personnel Department of \$73.

**SOURCE OF FUNDS:**

(1) Board of Examiners of Nursing Home Adminis- trators Fund .....	40,000
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As provided in Section 34-  
20-7, Code of Alabama  
1975, as amended.

Total Board of Examiners of Nursing Home Administrators	40,000	40,000
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**73. OIL AND GAS BOARD:**

(a) Management and Regulation of Oil and Gas Exploration and Development Program .....	1,520,000
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The appropriation to the Oil  
and Gas Board shall include a  
transfer to the State Personnel  
Department of \$2,769.

**SOURCE OF FUNDS:**

(1) State General Fund .....	1,500,000
(2) Federal, Local and Miscel- laneous Funds .....	20,000

Total Oil and Gas Board .....	1,500,000	20,000	1,520,000
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**74. PARDONS AND PAROLES,  
BOARD OF:**

(a) Administration of Pardons and Paroles Program .....	7,048,650
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The appropriation to the  
Board of Pardons and Paroles  
shall include a transfer to the  
State Personnel Department of  
\$17,888.

**SOURCE OF FUNDS:**

(1) State General Fund .....	5,400,000
(2) Probationers Upkeep Fund. ....	1,551,573
(3) Federal, Local and Miscel- laneous Funds .....	97,077

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Total Board of Pardons and Paroles .....	5,400,000	1,648,650	7,048,650
	<hr/>		

**75. PEACE OFFICERS' ANNUITY  
AND BENEFIT FUND,  
ALABAMA:**

(a) Retirement Systems Program .	211,433
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The appropriation to the Alabama Peace Officers' Annuity and Benefit Fund shall include a transfer to the State Personnel Department of \$255.

**SOURCE OF FUNDS:**

(1) Peace Officers' Annuity and Benefit Fund .....	211,433
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As provided in Section 36-21-66, Code of Alabama 1975 .....

Total Alabama Peace Officers' Annuity and Benefit Fund ....	211,433	211,433
	<hr/>	

**76. PENSIONS AND SECURITY,  
DEPARTMENT OF:**

(a) Economic Assistance Program	172,189,97
(b) Community Work Experience Program .....	300,00
(c) Social Services Program .....	70,805,11
(d) Title XX Transfer to the Department of Mental Health ...	4,500,000
(e) Client Services Allotment to County Departments of Pensions and Security .....	169,500

It is the intent of the Legislature that allotments be made to the county departments of Pensions and Security to fund, upon approval of the county department director, supplemental client services not otherwise provided for through existing programs of the Department of Pensions and Security. Allotments shall be distributed to the county departments based on the coun-

ties' populations according to the 1980 census as follows: county populations greater than 50,000, \$3,000; county populations less than 50,000, \$1,500. The appropriation to the Department of Pensions and Security shall include a transfer to the State Personnel Department of \$295,063.

## SOURCE OF FUNDS:

(1) Federal, Local and Miscellaneous Funds .....	166,539,373	
(2) ABC Profits .....	1,717,479	
(3) Whiskey Tax .....	18,762,737	
(4) Beer Tax .....	7,280,000	
(5) Pension Residue .....	13,500,000	
(6) Sales Tax .....	1,322,000	
(7) Franchise Tax .....	10,500,000	
(8) Contracts, Service Fees ..	120,000	
(9) Child Support Collections	2,423,000	
(10) Sales Tax for Food Stamps .....	15,000,000	
(11) Cigarette Tax .....	4,200,000	
(12) Title XX Funds-Transfer to Mental Health Department .....	4,500,000	
(13) Contractor's Gross Receipts Tax .....	2,100,000	
<hr/>		
Total Department of Pensions and Security .....	247,964,589	247,964,589
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77. PERSONNEL DEPARTMENT,  
STATE:

(a) Administrative Support Program .....	2,104,262
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## SOURCE OF FUNDS:

(1) Transfer from Department of Aeronautics .....	219
(2) Transfer from Commission on Aging .....	1,057
(3) Transfer from Board of Public Accountancy .....	73



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(4) Transfer from Agriculture and Industries .....	30,931
(5) Transfer from Agriculture Center Board .....	547
(6) Transfer from Air Transportation .....	1,384
(7) Transfer from Alcoholic Beverage Control Board ..	63,793
(8) Transfer from Board of Registration for Architects ..	109
(9) Transfer from Archives and History .....	3,024
(10) Transfer from the Council on Arts and Humanities ..	619
(11) Transfer from the Office of the Attorney General ..	9,655
(12) Transfer from the State Auditor .....	1,785
(13) Transfer from State Banking Department .....	3,388
(14) Transfer from Finance-Alabama Building Authority ..	2,332
(15) Transfer from Finance-Alabama Building Finance Authority .....	2,332
(16) Transfer from Building Commission .....	1,494
(17) Transfer from Chiropractic Examiners .....	109
(18) Transfer from Civil Air Patrol .....	73
(19) Transfer from Local Civil Defense .....	930
(20) Transfer from Conservation Department .....	59,348
(21) Transfer from State Licensing Board for General Contractors .....	401
(22) Transfer from Department of Corrections .....	134,726
(23) Transfer from Board of Cosmetology .....	656
(24) Transfer from Criminal Justice Information Center .....	3,206

(25) Transfer from Alabama Development Office . . . . .	2,441
(26) Transfer from State Docks . . . . .	39,711
(27) Transfer from Education . . . . .	91,080
(28) Transfer from the Department of Economic and Community Affairs . . . . .	14,755
(29) Transfer from Emergency Management . . . . .	2,004
(30) Transfer from Board of Registration for Professional Engineers and Land Surveyors . . . . .	291
(31) Transfer from Environmental Management . . . . .	15,119
(32) Transfer from Ethics Commission . . . . .	547
(33) Transfer from Examiners of Public Accounts . . . . .	8,853
(34) Transfer from Farmer's Market Authority . . . . .	182
(35) Transfer from Finance Department . . . . .	37,853
(36) Transfer from Firefighters Personnel Standards and Education Commission . . . . .	182
(37) Transfer from Foreign Trade Commission . . . . .	36
(38) Transfer from Department of Forensic Sciences . . . . .	5,938
(39) Transfer from Forestry Commission . . . . .	32,643
(40) Transfer from Funeral Services . . . . .	109
(41) Transfer from Geological Survey . . . . .	5,028
(42) Transfer from Governor's Office . . . . .	2,732
(43) Transfer from Department of Public Health . . . . .	129,771
(44) Transfer from Board of Heating and Air Conditioning Contractors . . . . .	146
(45) Transfer from Highway Department . . . . .	271,601

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(46) Transfer from Alabama Historical Commission . . .	2,696
(47) Transfer from Industrial Relations . . . . .	149,335
(48) Transfer from Insurance Department . . . . .	4,117
(49) Transfer from State Em- ployees' Insurance Board .	73
(50) Transfer from Department of Labor . . . . .	546
(51) Transfer from Legislative Reference Service . . . . .	546
(52) Transfer from Liquefied Petroleum Gas Board . . . .	546
(53) Transfer from Alabama Medicaid Agency . . . . .	16,941
(54) Transfer from Department of Mental Health . . . . .	383,520
(55) Transfer from Military Department . . . . .	11,403
(56) Transfer from Board of Nursing . . . . .	838
(57) Transfer from Examiners of Nursing Home Ad- ministrators . . . . .	73
(58) Transfer from Oil and Gas Board . . . . .	2,769
(59) Transfer from Pardons and Paroles . . . . .	17,888
(60) Transfer from Peace Of- ficers' Annuity and Bene- fit Fund . . . . .	255
(61) Transfer from Peace Of- ficers' Standards and Training Commission . . . .	182
(62) Transfer from Department of Pensions and Security .	295,063
(63) Transfer from Physical Fitness Commission . . . . .	291
(64) Transfer from Board of Physical Therapy . . . . .	73
(65) Transfer from Public-Li- brary Service . . . . .	4,481
(66) Transfer from Department of Public Safety . . . . .	83,721

(67) Transfer from Public Service Commission .....	7,760	
(68) Transfer from Publicity and Information .....	4,335	
(69) Transfer from Alabama Public Television Network .....	6,376	
(70) Transfer from Real Estate Commission .....	984	
(71) Transfer from Retirement Systems .....	6,485	
(72) Transfer from Department of Revenue .....	78,875	
(73) Transfer from Secretary of State .....	1,858	
(74) Transfer from Securities Commission .....	1,384	
(75) Transfer from Board of Social Work Examiners ..	73	
(76) Transfer from Soil and Water Conservation Committee .....	328	
(77) Transfer from Surface Mining Commission .....	3,971	
(78) Transfer from State Treasurer .....	2,951	
(79) Transfer from Department of Veterans Affairs .....	3,753	
(80) Transfer from Department of Youth Services .....	26,559	
Total State Personnel Department .....	2,104,262	2,104,26

78. PHYSICAL THERAPY, BOARD  
OF:

- (a) Professional and Occupational Licensing and Regulation Program .....

58,011

The appropriation to the Board of Physical Therapy shall include a transfer to the State Personnel Department of \$73.

SOURCE OF FUNDS:

- (1) Physical Therapy Fund ..

58,011

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1985

As provided in Section 34-  
24-195, Code of Alabama  
1975.

Total Board of Physical Therapy .....	58,011	58,011
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**79. POLYGRAPH EXAMINERS,  
BOARD OF:**

(a) Professional and Occupational Licensing and Regulation Pro- gram .....		29,500
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**SOURCE OF FUNDS:**

(1) Board of Polygraph Exam- iners Fund .....	29,500	
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As provided in Section 34-  
25-5, Code of Alabama  
1975, as amended.

Total Board of Polygraph Examiners .....	29,500	29,500
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**80. PROSECUTION SERVICES,  
OFFICE OF:**

(a) Prosecution, Training, Educa- tion and Management Program .....		443,912
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**SOURCE OF FUNDS:**

(1) Office of Prosecution Ser- vices Fund .....	443,912	
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Total Office of Prosecution Services .....	443,912	443,912
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**81. PSYCHOLOGY, ALABAMA  
BOARD OF EXAMINERS IN:**

(a) Professional and Occupational Licensing and Regulation Pro- gram .....		27,466
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**SOURCE OF FUNDS:**

(1) Board of Examiners of Psychology Fund .....	27,466	
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As provided in Section 34-  
26-43, Code of Alabama  
1975, as amended.

Total Alabama Board of Examiners in Psychology .....	27,466	47,466
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82. PUBLIC SAFETY,  
DEPARTMENT OF:

(a) Traffic Control and Accident Prevention Program .....	20,220,94
(b) Criminal Investigation Pro- gram .....	4,281,63
(c) Driver's Licensing and Im- provement Program .....	7,769,60
(d) Public Safety Support Services Program .....	5,665,38
(e) Administrative Services Pro- gram .....	2,091,75
(f) Alabama Criminal Justice Training Center Program .....	970,66

The appropriation to the De-  
partment of Public Safety shall  
include a transfer to the State  
Personnel Department of  
\$83,721.

SOURCE OF FUNDS:

(1) State General Fund .....	41,000,000
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Total Department of Public Safety .....	41,000,000	41,000,000
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83. PUBLIC SERVICE COMMISSION:

(a) Regulatory Services Program .	4,651,33
(b) Administrative Services Pro- gram .....	1,153,16

The appropriation to the Pub-  
lic Service Commission shall  
include a transfer to the State  
Personnel Department of  
\$7,760.

SOURCE OF FUNDS:

(1) Public Service Commis- sion Fund .....	5,616,500
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The above appropriation  
to the Alabama Public  
Service Commission shall  
be payable only from in-  
spection and supervision

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fees paid by utilities and transportation companies and such parts or percentage of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission Fund at the end of the fiscal year in excess of \$800,000 shall be transferred to the State General Fund.

(2) Federal Funds .....	188,000		
<hr/>			
Total Public Service Commission .....	5,804,500	5,804,500	
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**84. PUBLICITY AND  
INFORMATION, BUREAU OF:**

- (a) Tourism and Travel Promotion Program ..... 2,758,632

The appropriation to the Bureau of Publicity and Information shall include a transfer to the State Personnel Department of \$4,335.

**SOURCE OF FUNDS:**

- (1) State General Fund-Transfer ..... 595,000
- (2) Lodgings Tax (\$.01) ..... 2,163,632

Receipts collected under the provisions of Section 40-26-1 et seq., Code of Alabama 1975, as amended.

Total Bureau of Publicity and Information .....	595,000	2,163,632	2,758,632
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**85. REAL ESTATE COMMISSION,  
ALABAMA:**

- (a) Professional and Occupational

Licensing and Regulation Program .....	748,403
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The appropriation to the Alabama Real Estate Commission shall include a transfer to the State Personnel Department of \$984.

**SOURCE OF FUNDS:**

(1) Alabama Real Estate Commission Fund .....	748,403
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As provided in Section 34-27-4, Code of Alabama 1975, as amended and the total expenditures shall in no manner exceed the amounts hereby appropriated.....

Total Alabama Real Estate Commission .....	748,403	748,403
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**86. REVENUE DEPARTMENT:**

(a) State Revenue Administration Program .....	40,072,997
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The appropriation to the Revenue Department shall include a transfer to the State Personnel Department of \$78,875.

**SOURCE OF FUNDS:**

(1) State General Fund-Transfer .....	250,000
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As provided in Section 40-7-70, Code of Alabama 1975, to maintain a program for the equalization of ad valorem tax assessments.

(2) Transfer from the gross proceeds of Cigarette Tax Collections .....	1,222,566
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As provided in Section 40-25-2 and Section 40-25-23, Code of Alabama 1975, as amended.

(3) Transfer from the gross proceeds of Financial In-	
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stitution Excise Tax Collections .....	207,080
(4) Transfer from the gross proceeds of the Forest Severance Tax Collections .....	123,451
(5) Transfer from the gross proceeds of Gasoline Tax Collections .....	3,623,893
(6) Transfer from the Income Tax Collections .....	12,305,306
(7) Transfer from the gross proceeds of Motor Fuel Tax Collections .....	756,637
(8) Transfer from the gross proceeds of Motor Vehicle License Collections .....	1,636,725
(9) Transfer from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax .....	501,770
(10) Transfer from the Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax .....	1,234,513
(11) Transfer from the gross proceeds of Sales Tax Collections .....	10,855,749
(12) Transfer from the gross proceeds of the Tobacco Tax Collections .....	31,858
(13) Transfer from the gross proceeds of Use Tax Collections .....	1,186,725
(14) Transfer from the gross proceeds of the Utility Tax Collections .....	2,636,282
As provided in Section 40-21-1, <u>Code of Alabama 1975</u> .	
(15) Local Funds .....	3,500,442
The amounts hereinabove appropriated for the cost of maintenance and operations of the Department of Revenue are in lieu of any other statutory provisions	

for the payment of the cost of operating said Department or collections of the taxes as authorized by law.

Provided, however, in addition to the amount hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by local acts of the Legislature as a charge for the collection of taxes or licenses.

Total Revenue Department . . .	250,000	39,822,997	40,072,997
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#### 87. REVENUE—BOARDS OF EQUALIZATION:

(a) State Revenue Administration Program . . . . .		128,000
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##### SOURCE OF FUNDS:

(1) State General Fund . . . . .	128,000	
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Total Revenue-Boards of Equalization . . . . .	128,000	128,000
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#### 88. REVENUE—MOTOR VEHICLE LICENSE:

(a) State Revenue Administration Program . . . . .		2,365,083
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##### SOURCE OF FUNDS:

(1) Transfer from the gross proceeds of Motor Vehicle License Collections for the purchase only of Motor Vehicle License Tags . . . . .	2,365,083	
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Total Revenue-Motor Vehicle License . . . . .	2,365,083	2,365,083
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#### 89. SECRETARY OF STATE:

(a) Administrative Support Ser- vices Program . . . . .		749,952
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1991

The appropriation to the Secretary of State shall include a transfer to the State Personnel Department of \$1,858.

**SOURCE OF FUNDS:**

(1) State General Fund .....	749,952	
<hr/>		
Total Secretary of State .....	749,952	749,952
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**90. SECURITIES COMMISSION:**

- (a) Regulatory Services Program . . . . . 832,000

The appropriation to the Securities Commission shall include a transfer to the State Personnel Department of \$1,384.

**SOURCE OF FUNDS:**

(1) State General Fund .....	457,000		
(2) Industrial Development Bond Notification Fund ..		110,000	
(3) Sales of Checks License Fund .....		8,000	
(4) Exemption Fund .....		257,000	
<hr/>			
Total Securities Commission ..	457,000	375,000	832,000
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**91. SENIOR CITIZENS HALL OF FAME, ALABAMA:**

- (a) Historical Resources Management Program .....
- 25,000

**SOURCE OF FUNDS:**

(1) State General Fund .....	25,000	
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Total Alabama Senior Citizens Hall of Fame .....	25,000	25,000
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**92. SOCIAL WORK EXAMINERS, ALABAMA STATE BOARD OF:**

- (a) Professional and Occupational Licensing and Regulation Program .....
- 50,361

The appropriation to the Alabama State Board of Social Work Examiners shall include

a transfer to the State Personnel Department of \$73.

**SOURCE OF FUNDS:**

- (1) Alabama State Board of  
Social Work Examiners  
Fund .....

50,361

As provided in Section 34-  
30-6, Code of Alabama  
1975 (1983 Cum. Supp.).

Total Alabama State Board of  
Social Work Examiners .....

50,361

50,361

**93. SOIL AND WATER  
CONSERVATION COMMITTEE,  
STATE:**

- (a) Water Resource Development  
Program .....

790,000

- (b) Soil Classifiers Fund Program .....

2,000

- (c) Administrative Services Pro-  
gram .....

260,000

The appropriation to the State  
Soil and Water Conservation  
Committee shall include a  
transfer to the State Personnel  
Department of \$328.

**SOURCE OF FUNDS:**

- (1) State General Fund ..... 1,050,000

- (2) Soil Classifiers Fund ..... 2,000

Total State Soil and Water  
Conservation Committee .....

1,050,000

2,000

1,052,000

**94. SOUTHERN GROWTH POLICIES  
BOARD:**

- (a) Special Services Program .....

27,830

**SOURCE OF FUNDS:**

- (1) State General Fund ..... 27,830

Total Southern Growth  
Policies Board .....

27,830

27,830

**95. SPACE SCIENCE EXHIBIT  
COMMISSION, ALABAMA:**

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1993

(a) Tourism and Travel Promotion Program .....	310,000
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SOURCE OF FUNDS:

(1) State General Fund-Capital Outlay .....	310,000
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Total Alabama Space Science Exhibit Commission .....	310,000	310,000
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**96. SPEECH PATHOLOGY AND AUDIOLOGY, ALABAMA BOARD OF EXAMINERS FOR:**

(a) Professional and Occupational Licensing and Regulation Program .....	18,731
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SOURCE OF FUNDS:

(1) Alabama Board of Examiners for Speech Pathology and Audiology Fund .....	18,731
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As Provided in Section 34-28A-44, Code of Alabama 1975.

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Total Alabama Board of Examiners for Speech Pathology and Audiology .....	18,731	18,731
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**97. SPORTS HALL OF FAME, ALABAMA:**

(a) Historical Resources Management Program .....	70,000
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SOURCE OF FUNDS:

(1) State General Fund .....	70,000
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Total Alabama Sports Hall of Fame .....	70,000	70,000
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**98. SURFACE MINING COMMISSION ALABAMA:**

(a) Industrial Safety and Accident Prevention Program .....	4,984,793
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The appropriation to the Alabama Surface Mining Commission shall include a transfer to

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the State Personnel Department of \$3,971.

**SOURCE OF FUNDS:**

- |  |           |
|--|-----------|
| (1) Surface Mining Commission Fund ..... | 4,984,793 |
|--|-----------|

As provided by Section 9-16-103, Code of Alabama 1975 (1983 Cum. Supp.). All fees and charges, grants, gifts, fines, bond forfeitures or other monies received under the above act, in addition to the appropriation herein made, are appropriated to the Surface Mining Commission .....

Total Alabama Surface Mining Commission .....	4,984,793	4,984,793
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**99. TANNEHILL FURNACE AND  
FOUNDRY COMMISSION:**

- |   |         |
|---|---------|
| (a) Historical Resources Management Program ..... | 618,000 |
|---|---------|

**SOURCE OF FUNDS:**

- |  |         |
|--|---------|
| (1) State General Fund .....                                   | 218,000 |
| (2) State General Fund-Capital Outlay for Furnace Repair ..... | 60,000  |
| (3) Federal, Local and Miscellaneous Funds .....               | 340,000 |

Total Tannehill Furnace and Foundry Commission .....	278,000	340,000	618,000
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**100. TENNESSEE-TOMBIGBEE  
WATERWAY DEVELOPMENT  
AUTHORITY:**

- |  |         |
|--|---------|
| (a) Water Resource Development Program ..... | 382,723 |
|--|---------|

**SOURCE OF FUNDS:**

- |                              |         |
|------------------------------|---------|
| (1) State General Fund ..... | 130,750 |
|------------------------------|---------|

As provided in Section 33-8-2, Code of Alabama 1975.

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1995

(2) Federal, Local and Miscellaneous Funds .....	251,973	
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Total Tennessee-Tombigbee Waterway Development Authority .....	130,750	251,973	382,723
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**101. TREASURER, STATE:**

(a) Fiscal Management Program ..		1,350,000	
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The appropriation to the State Treasurer shall include a transfer to the State Personnel Department of \$2,951.

**SOURCE OF FUNDS:**

(1) State General Fund .....	1,350,000		
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Total State Treasurer .....	1,350,000		1,350,000
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**102. UNIFORM STATE LAWS,  
COMMISSION ON:**

(a) Special Services Program, Estimated .....		5,000	
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**SOURCE OF FUNDS:**

(1) State General Fund .....	5,000		
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As Provided in Section 41-9-374, Code of Alabama 1975.

Total Commission on Uniform State Laws, Estimated .....	5,000		5,000
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**103. VETERANS AFFAIRS,  
DEPARTMENT OF:**

(a) Administration of Veterans Affairs Program .....		2,500,000	
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(b) Alabama Vietnam Veterans' Leadership Program, Inc. ....		25,000	
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The expenditure of said appropriation to the Alabama Vietnam Veterans' Leadership Program shall be subject to the rules and regulations promulgated by the State Department of Veterans' Affairs. The appropriation to the Department

of Veterans Affairs shall include a transfer to the State Personnel Department of \$3,753.

## SOURCE OF FUNDS:

(1) State General Fund .....	2,525,000	
<hr/>		
Total Department of Veterans Affairs .....	2,525,000	2,525,000
<hr/>		

## 104. VETERINARY MEDICAL EXAMINERS, ALABAMA STATE BOARD OF:

- (a) Professional and Occupational Licensing and Regulation Program ..... 45,000

## SOURCE OF FUNDS:

- (1) State Board of Veterinary Medical Examiners Fund. 45,000

As provided in Section 34-29-23 and Section 34-29-41, Code of Alabama 1975, as amended.

Total Alabama State Board of Veterinary Medical Examiners.	45,000	45,000
<hr/>		

## 105. WOMAN'S COMMISSION, ALABAMA:

- (a) Employment and Social Opportunities Program ..... 7,650

## SOURCE OF FUNDS:

- (1) State General Fund ..... 7,650

Total Alabama Women's Commission .....	7,650	7,650
<hr/>		

## 106. WOMEN'S HALL OF FAME, ALABAMA:

- (a) Historical Resources Management Program ..... 6,000

## SOURCE OF FUNDS:

- (1) State General Fund ..... 6,000



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Total Alabama Women's Hall of Fame .....	6,000	6,000
---	-------	-------

**D. OTHER FUNCTIONS OF  
GOVERNMENT FUNDED FROM  
THE STATE GENERAL FUND:**

**1. ADVERTISING LANDS FOR  
TAX SALE:**

(a) State Revenue Administration Program, Estimated .....		60,000
--	--	--------

**SOURCE OF FUNDS:**

(1) State General Fund .....	60,000	
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Total Advertising Lands for Tax Sale .....	60,000	60,000
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**2. ARREST OF ABSCONDING  
FELONS:**

(a) Criminal Investigation Pro- gram, Estimated .....		60,000
--	--	--------

**SOURCE OF FUNDS:**

(1) State General Fund .....	60,000	
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Total Arrest of Absconding Felons .....	60,000	60,000
--	--------	--------

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**3. AUTOMATIC APPEAL  
EXPENSE:**

(a) Legal Advice and Legal Service Program, Estimated .....		250
--	--	-----

**SOURCE OF FUNDS:**

(1) State General Fund .....	250	
------------------------------	-----	--

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As provided in Section 12-  
22-150 and Section 12-22-  
150 and Section 12-22-241,  
Code of Alabama 1975.

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Total Automatic Appeal Expense .....	250	250
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**4. CIVIL COURT COSTS IN  
CONNECTION WITH AD  
VALOREM TAX ASSESSMENTS  
APPEALS:**

- (a) State Revenue Administration  
Program, Estimated . . . . . 200

## SOURCE OF FUNDS:

- (1) State General Fund . . . . . 200
- 

Total Civil Court Costs in  
Connection with Ad Valorem  
Tax Assessments Appeals . . . . . 200 200

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5. CONSUMER UTILITY RATE  
HEARING:

- (a) Executive Direction Program . . . . . 250,000

## SOURCE OF FUNDS:

- (1) State General Fund-  
Transfer . . . . . 250,000
- 

As provided in Section 37-  
1-18 Code of Alabama  
1975 (1983 Cum. Supp.).

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Total Consumer Utility Rate  
Hearing . . . . . 250,000 250,000

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6. COURT-ASSESSED COST NOT  
OTHERWISE PROVIDED FOR:

- (a) Cost Assessed by State and  
Federal Courts Only Program,  
Estimated . . . . . 757,000

It is the intent of the Legisla-  
ture that this appropriation be  
expended only for costs as-  
sessed by state and federal  
courts.

## SOURCE OF FUNDS:

- (1) State General Fund . . . . . 757,000
- 

Total Court-Assessed Cost Not  
Otherwise Provided For . . . . . 757,000 757,000

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7. COURT COSTS-ACT NO. 558,  
1957.

- (a) Court Operations Program, Es-  
timated . . . . . 500

## SOURCE OF FUNDS:

- (1) State General Fund . . . . . 500

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1999

Pursuant to Act No. 558,  
1957, page 777.

Total Court Costs-Act No. 558, 1957.....	500	500
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**8. DISTRIBUTION OF PUBLIC  
DOCUMENTS:**

(a) Administrative Support Service Program, Estimated.....		40,000
SOURCE OF FUNDS:		
(1) State General Fund .....	40,000	
<hr/>		
Total Distribution of Public Documents .....	40,000	40,000

**9. ELECTION EXPENSES:**

(a) Special Services Program, Esti- mated .....		2,000,000
SOURCE OF FUNDS:		
(1) State General Fund .....	2,000,000	
<hr/>		
Total Election Expenses .....	2,000,000	2,000,000

**10. EMERGENCY FUND,  
DEPARTMENTAL:**

(a) Special Services Program .....		1,000,000
SOURCE OF FUNDS:		
(1) State General Fund .....	1,000,000	
(This is the appropriation contemplated in Section 41-4-94, <u>Code of Alabama</u> <u>1975</u> , and shall be the only amount appropriated and the total amount ex- pended under the provi- sions of said section.)		
<hr/>		
Total Departmental Emergency Fund .....	1,000,000	1,000,000

**11. FEEDING OF PRISONERS:**

(a) Institutional Services Correc- tions Program, Estimated .....		3,500,000
--	--	-----------

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**SOURCE OF FUNDS:**

(1) State General Fund . . . . . 3,500,000

For expenses of feeding  
prisoners in county jails

Total Feeding of Prisoners . . . . .	3,500,000	3,500,000
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**12. DEPARTMENT OF FINANCE-  
BUDGET OFFICE-EMPLOYEES'  
SUGGESTION AWARD  
PROGRAM:**

(a) Fiscal Management Program . . . . . 10,000

**SOURCE OF FUNDS:**

(1) State General Fund . . . . . 10,000

Total Department of Finance- Budget Office-Employees' Suggestion Award Program . . . . .	10,000	10,000
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**13. DEPARTMENT OF FINANCE-  
CAPITOL MOVING EXPENSES,  
ESTIMATED:**

To be utilized to move all occu-  
pants in the State Capitol  
Building . . . . . 800,000

**SOURCE OF FUNDS:**

(1) State General Fund . . . . . 800,000

Total Department of Finance- Capitol Moving Expenses Estimated . . . . .	800,000	800,000
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**14. DEPARTMENT OF FINANCE-  
FEMA,:**

Payments of the State's share  
of Administration costs and  
matching grants furnished by  
the Federal Emergency Man-  
agement Agency . . . . . 1,000,000

**SOURCE OF FUNDS:**

(1) State General Fund . . . . . 1,000,000

Total Department of Finance- FEMA, . . . . .	1,000,000	1,000,000
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2001

<b>15. DEPARTMENT OF FINANCE- TELEPHONE REVOLVING FUND:</b>			400,000
<b>SOURCE OF FUNDS:</b>			
(1) State General Fund .....	400,000		
<hr/>			
Total Department of Finance- Telephone Revolving Fund ...	400,000		400,000
<hr/>			
<b>16. FOREST FIRE FUND, EMERGENCY:</b>			
(a) Forest Resource Protection Program .....			180,000
<b>SOURCE OF FUNDS:</b>			
(1) State General Fund- Transfer .....	180,000		
As provided by Section 9- 3-10.1, <u>Code of Alabama</u> <u>1975.</u>			
<hr/>			
Total Emergency Forest Fire Fund .....	180,000		180,000
<hr/>			
<b>17. GOVERNORS' CONFERENCE, NATIONAL:</b>			
(a) Executive Direction Program .			83,100
<b>SOURCE OF FUNDS:</b>			
(1) State General Fund .....	83,100		
<hr/>			
Total National Governors' Conference .....	83,100		83,100
<hr/>			
<b>18. GOVERNOR'S COUNCILLOR:</b>			
(a) Executive Direction Program .			20,400
<b>SOURCE OF FUNDS:</b>			
(1) State General Fund .....	20,400		
As provided in Section 36- 13-13, <u>Code of Alabama</u> <u>1975</u> (1983 Cum. Supp.).			
<hr/>			
Total Governor's Councillor ...	20,400		20,400
<hr/>			
<b>19. GOVERNOR'S PROCLAMATION EXPENSES:</b>			

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(a) Executive Direction Program, Estimated .....			100,000
SOURCE OF FUNDS:			
(1) State General Fund .....	100,000		
<hr/>			
Total Governor's Proclamation Expenses .....	100,000		100,000
<hr/>			
20. GOVERNOR'S WIDOWS RETIREMENT:			
(a) Executive Direction Program .			14,400
SOURCE OF FUNDS:			
(1) State General Fund .....	14,400		
<hr/>			
Total Governor's Widows Retirement .....	14,400		14,400
<hr/>			
21. INTERPRETER'S ACCOUNT:			
(a) Court Support Services Pro- gram, Estimated .....			2,000
SOURCE OF FUNDS:			
(1) State General Fund .....	2,000		
As provided in Sections 12-21-131 through 134, <u>Code of Alabama 1975.</u>			
<hr/>			
Total Interpreter's Account ...	2,000		2,000
<hr/>			
22. LAW ENFORCEMENT FUND:			
(a) Criminal Investigation Pro- gram .....			100
SOURCE OF FUNDS:			
(1) State General Fund- Transfer .....	100		
<hr/>			
Total Law Enforcement Fund .	100		100
<hr/>			
23. LAW ENFORCEMENT LEGAL DEFENSE:			
(a) Legal Advice and Legal Ser- vices Program .....			3,000
SOURCE OF FUNDS:			
(1) State General Fund .....	3,000		
To carry out provisions of			

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2003

Section 36-21-1, Code of  
Alabama 1975.

Total Law Enforcement Legal Defense .....	3,000	3,000
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**24. MAILING TAX NOTICES:**

(a) State Revenue Administration Program, Estimated .....		100
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**SOURCE OF FUNDS:**

(1) State General Fund .....	100	
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Total Mailing Tax Notices .....	100	100
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**25. MENTAL HEALTH TRUST  
FUND, ALABAMA SPECIAL:**

35,500,000

**SOURCE OF FUNDS:**

(1) State General Fund- Transfer .....	35,500,000	
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Total Alabama Special Mental Health Trust Fund .....	35,500,000	35,500,000
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**26. POLICEMAN'S SURVIVOR  
TUITION ACT:**

(a) Support of Other Educational Activities Program, Estimated .....		5,000
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**SOURCE OF FUNDS:**

(1) State General Fund .....	5,000	
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Total Policeman's Survivor Tuition Act .....	5,000	5,000
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**27. PRESIDENTIAL ELECTORAL  
EXPENSE:**

(a) Administration of Public Docu- ments Program, Estimated .....		1,000
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**SOURCE OF FUNDS:**

(1) State General Fund .....	1,000	
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Total Presidential Electoral Expense .....	1,000	1,000
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**28. PRINTING OF CODE**

SUPPLEMENT-LEGISLATIVE  
REFERENCE SERVICE:

(a) Administration of Public Documents Program, Estimated . . .		350,000
SOURCE OF FUNDS:		
(1) State General Fund . . . . .	350,000	
<hr/>		
Total Printing of Code Supplement-Legislative Reference Service . . . . .	350,000	350,000
<hr/>		

29. PRINTING CODES AND  
SUPPLEMENTS-SECRETARY OF  
STATE:

(a) Administration of Public Documents Program, Estimated . . .		150,000
SOURCE OF FUNDS:		
(1) State General Fund . . . . .	150,000	
<hr/>		
Total Printing Codes and Supplements-Secretary of State . . . . .	150,000	150,000
<hr/>		

30. PRINTING OF LEGISLATIVE  
ACTS AND JOURNALS:

(a) Administrative Support Services Program, Estimated . . .		500,000
SOURCE OF FUNDS:		
(1) State General Fund . . . . .	500,000	
<hr/>		
Total Printing of Legislative Acts and Journals . . . . .	500,000	500,000
<hr/>		

31. PRINTING OF STATE AND  
COUNTY PRIVILEGE  
LICENSES:

(a) State Revenue Administration Program, Estimated . . . . .		25,000
SOURCE OF FUNDS:		
(1) State General Fund . . . . .	25,000	
<hr/>		
Total Printing of State and County Privilege Licenses . . . . .	25,000	25,000
<hr/>		

## 32. PUBLIC DEFENDER:



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2005

(a) Court Operations Program, Estimated .....		55,000
SOURCE OF FUNDS:		
(1) State General Fund .....	55,000	
For salary of Public Defender for the 21st Judicial Circuit, as provided by Section 15-12-43, <u>Code of Alabama 1975</u> .		
Total Public Defender .....		55,000
<hr/>		
33. RECREATION CAPITAL DEVELOPMENT FUND:		651,000
SOURCE OF FUNDS:		
(1) State General Fund Transfer .....	651,000	
Total Recreation Capital Development Fund .....		651,000
<hr/>		
34. REGISTRATION OF VOTERS:		
(a) Special Services Program, Estimated .....		1,500,000
SOURCE OF FUNDS:		
(1) State General Fund .....	1,500,000	
Total Registration of Voters ..		1,500,000
<hr/>		
35. REMOVAL OF PRISONERS:		
(a) Administrative Services and Logistical Support Program, Estimated .....		300,000
SOURCE OF FUNDS:		
(1) State General Fund .....	300,000	
Total Removal of Prisoners ..		300,000
<hr/>		
36. SOCIAL SECURITY-COUNTY JUDICIAL:		
(a) Fringe Benefit Program, Estimated .....		300,000
SOURCE OF FUNDS:		
(1) State General Fund .....	300,000	
<hr/>		

Total Social Security-County			
Judicial .....	300,000		300,000
<hr/>			
37. STATE GENERAL FUND,			
ESTIMATED:			66,683,172
SOURCE OF FUNDS:			
(1) Heritage Trust Income			
Fund Transfer. All income			
other than income realized			
on sale of Trust Fund as-			
sets and not otherwise ap-			
propriated herein.			
Estimated .....	66,683,172		
<hr/>			
Total State General Fund,			
Estimated .....	66,683,172	66,683,172	
<hr/>			
38. STATE TREASURER-PREVIOUS			
YEAR'S UNPAID WARRANTS:			
(a) Special Services Program, Esti-			
mated .....			250,000
SOURCE OF FUNDS:			
(1) State General Fund .....	250,000		
<hr/>			
Total State Treasurer-Previous			
Year's Unpaid Warrants .....	250,000		250,000
<hr/>			
E. FINANCIAL ASSISTANCE TO NON-			
STATE AGENCIES:			
1. ANNISTON SUBREGIONAL			
LIBRARY FOR THE BLIND AND			
HANDICAPPED:			
(a) Public Library Services Pro-			
gram .....			4,500
SOURCE OF FUNDS:			
(1) State General Fund .....	4,500		
<hr/>			
Total Anniston Subregional			
Library for the Blind and			
Handicapped .....	4,500		4,500
<hr/>			
2. APPALACHIAN REGIONAL			
COMMISSION:			
(a) Planning Program .....			189,970

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26th Day**

2007

**SOURCE OF FUNDS:**

(1) State General Fund .....	189,970	
<hr/>		
Total Appalachian Regional Commission .....	189,970	189,970
<hr/>		

**3. ARMED FORCES DAY IN  
ALABAMA:**

(a) Historical Resources Manage- ment Program .....	836
--	-----

**SOURCE OF FUNDS:**

(1) State General Fund .....	836	
<hr/>		
Total Armed Forces Day in Alabama .....	836	836
<hr/>		

**4. ARMY AVIATION MUSEUM,  
FORT RUCKER:**

(a) Historical Resources Manage- ment Program .....	75,000
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**SOURCE OF FUNDS:**

(1) State General Fund .....	75,000	
<hr/>		
Total Army Aviation Museum, Fort Rucker, AL .....	75,000	75,000
<hr/>		

**5. ARTS HALL OF FAME,  
ALABAMA:**

(a) Fine Arts Program .....	4,500
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**SOURCE OF FUNDS:**

(1) State General Fund .....	4,500	
<hr/>		
Total Alabama Arts Hall of Fame .....	4,500	4,500
<hr/>		

**6. AZALEA TRAIL FESTIVAL,  
MOBILE:**

(a) Tourism and Travel Promotion Program .....	1,556
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**SOURCE OF FUNDS:**

(1) State General Fund .....	1,556	
<hr/>		
Total Mobile Azalea Trail Festival .....	1,556	1,556
<hr/>		

7. BAYOU LA BATRE SEAFOOD  
FESTIVAL:

(a) Special Services Program .....		1,000
SOURCE OF FUNDS:		
(1) State General Fund .....	1,000	
<hr/>		
Total Bayou La Batre Seafood Festival .....	1,000	1,000
<hr/>		

## 8. BEACON HOUSE-JASPER:

(a) Social Services Program .....		50,000
SOURCE OF FUNDS:		
(1) State General Fund .....	50,000	
<hr/>		
Total Beacon House-Jasper ...	50,000	50,000
<hr/>		

9. BIG NANCE CREEK WATER  
MANAGEMENT DISTRICT:

(a) Water Resource Development Program .....		1,400
SOURCE OF FUNDS:		
(1) State General Fund .....	1,400	
<hr/>		
Total Big Nance Creek Water Management District .....	1,400	1,400
<hr/>		

10. BIRMINGHAM CHAMBER  
MUSIC SOCIETY:

(a) Fine Arts Program .....		1,556
SOURCE OF FUNDS:		
(1) State General Fund .....	1,556	
<hr/>		
Total Birmingham Chamber Music Society .....	1,556	1,556
<hr/>		

11. BIRMINGHAM FESTIVAL OF  
ARTS:

(a) Fine Arts Program .....		15,230
SOURCE OF FUNDS:		
(1) State General Fund .....	15,230	
<hr/>		
Total Birmingham Festival of Arts .....	15,230	15,230
<hr/>		

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2009

**12. BIRMINGHAM  
INTERNATIONAL  
EDUCATIONAL FILM  
FESTIVAL:**

(a) Fine Arts Program .....		7,500
SOURCE OF FUNDS:		
(1) State General Fund .....	7,500	
<hr/>		
Total Birmingham International Educational Film Festival .....	7,500	7,500
<hr/>		

**13. BLOUNT COUNTY-ONEONTA  
AGRI-BUSINESS ASSOCIATION-  
FARMERS' MARKET:**

(a) Special Services Program .....		25,000
SOURCE OF FUNDS:		
(1) State General Fund .....	25,000	
<hr/>		
Total Blount County-Oneonta Agri-Business Association- Farmers' Market .....	25,000	25,000
<hr/>		

**14. BLUE AND GRAY  
ASSOCIATION:**

(a) Tourism and Travel Promotion Program .....		5,602
SOURCE OF FUNDS:		
(1) State General Fund .....	5,602	
<hr/>		
Total Blue and Gray Association .....	5,602	5,602
<hr/>		

**15. CHILTON COUNTY  
HISTORICAL SOCIETY:**

(a) Historical Resources Manage- ment Program .....		5,000
SOURCE OF FUNDS:		
(1) State General Fund .....	5,000	
<hr/>		
Total Chilton County Historical Society .....	5,000	5,000
<hr/>		

**16. CHILTON COUNTY PEACH  
FESTIVAL:**

(a) Tourism and Travel Promotion Program .....			11,250
SOURCE OF FUNDS:			
(1) State General Fund .....	11,250		
Total Chilton County Peach Festival .....			11,250
			11,250
17. CHOCOLOCOCO CREEK WATERSHED ASSOCIATION:			
(a) Water Resource Development Program .....			2,183
SOURCE OF FUNDS:			
(1) State General Fund .....	2,183		
Total Choccolocco Creek Watershed Association .....			2,183
			2,183
18. CITRONELLE OIL BOWL:			
(a) Special Services Program .....			500
SOURCE OF FUNDS:			
(1) State General Fund .....	500		
Total Citronelle Oil Bowl .....			500
			500
19. CIVIL AIR PATROL:			
(a) Readiness and Recovery Program .....			40,000
SOURCE OF FUNDS:			
(1) State General Fund .....	40,000		
Total Civil Air Patrol .....			40,000
			40,000
20. COAL MINING MUSEUM, INC.:			
(a) Tourism and Travel Promotion Program .....			25,000
SOURCE OF FUNDS:			
(1) State General Fund .....	25,000		
Total Coal Mining Museum, Inc. ....			25,000
			25,000
21. COOSA-ALABAMA RIVER IMPROVEMENT ASSOCIATION:			

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2011

(a) Water Resource Development Program .....			7,784
SOURCE OF FUNDS:			
(1) State General Fund .....	7,784		
Total Coosa-Alabama River Improvement Association .....			7,784
22. COOSA RIVER ACTION COUNCIL-GADSDEN:			
(a) Water Resource Development Program .....			6,221
SOURCE OF FUNDS:			
(1) State General Fund .....	6,221		
Total Coosa River Action Council-Gadsden .....			6,221
23. CULTURE IN BLACK AND WHITE:			
(a) Historical Resources Management Program .....			1,500
SOURCE OF FUNDS:			
(1) State General Fund .....	1,500		
Total Culture in Black and White .....			1,500
24. DEEP SEA FISHING RODEO, ALABAMA:			
(a) Tourism and Travel Promotion Program .....			935
SOURCE OF FUNDS:			
(1) State General Fund .....	935		
Total Alabama Deep Sea Fishing Rodeo .....			935
25. DORSE RECREATIONAL AND EDUCATIONAL CENTER, MARY E.:			
(a) Special Services Program .....			3,638
SOURCE OF FUNDS:			
(1) State General Fund .....	3,638		

Total Mary E. Dorse Recreational and Educational Center .....		3,638	3,638
<hr/>			
26. DOTHAN LANDMARKS FOUNDATION, INC.:			
(a) Historical Resources Manage- ment Program .....			5,625
SOURCE OF FUNDS:			
(1) State General Fund .....		5,625	
<hr/>			
Total Dothan Landmarks Foundation, Inc. ....		5,625	5,625
<hr/>			
27. DYNNE CREEK WATERSHED CONSERVANCY DISTRICT:			
(a) Water Resource Development Program .....			1,400
SOURCE OF FUNDS:			
(1) State General Fund .....		1,400	
<hr/>			
Total Dynne Creek Watershed Conservancy District .....		1,400	1,400
<hr/>			
28. ELK RIVER DEVELOPMENT AGENCY:			
(a) Water Resource Development Program .....			4,656
SOURCE OF FUNDS;			
(1) State General Fund .....		4,656	
<hr/>			
Total Elk River Development Agency .....		4,656	4,656
<hr/>			
29. ELYTON RECOVERY CENTER:			
(a) Community Services Program .			75,000
SOURCE OF FUNDS:			
(1) State General Fund .....		75,000	
<hr/>			
Total Elyton Recovery Center .		75,000	75,000
<hr/>			
30. ENERGY BOARD, SOUTHERN STATES:			



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2013

(a) Discovery and Development of Mineral, Energy and Water Resources, Geologic Research and Topographic Mapping Program .....			20,536
SOURCE OF FUNDS:			
(1) State General Fund .....	20,536		
Total Southern States Energy Board .....			20,536
31. FOREST FESTIVAL, ALABAMA:			
(a) Executive Administration Program .....			4,610
SOURCE OF FUNDS:			
(1) State General Fund .....	4,610		
Total Alabama Forest Festival .....			4,610
32. GENEVA COUNTY TOMATO FESTIVAL:			
(a) Tourism and Travel Promotion Program .....			3,110
SOURCE OF FUNDS:			
(1) State General Fund .....	3,110		
Total Geneva County Tomato Festival .....			3,110
33. GEORGE LINDSEY CELEBRITY BENEFIT, INC.:			
(a) Tourism and Travel Promotion Program .....			7,500
SOURCE OF FUNDS:			
(1) State General Fund .....	7,500		
Total George Lindsey Celebrity Benefit, Inc. ....			7,500
34. GULF SHORES TOURIST ASSOCIATION:			
(a) Tourism and Travel Promotion Program .....			7,500

## SOURCE OF FUNDS:

(1) State General Fund .....	7,500	
<hr/>		
Total Gulf Shores Tourist Association .....	7,500	7,500
<hr/>		

## 35. GUNTERSVILLE BOAT RACES:

(a) Tourism and Travel Promotion Program .....		11,068
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## SOURCE OF FUNDS:

(1) State General Fund .....	11,068	
<hr/>		
Total Guntersville Boat Races .....	11,068	11,068
<hr/>		

36. HANK WILLIAMS MEMORIAL  
ASSOCIATION-GEORGIANA:

(a) Historical Resources Management Program .....		2,000
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## SOURCE OF FUNDS:

(1) State General Fund .....	2,000	
<hr/>		
Total Hank Williams Memorial Association-Georgiana .....	2,000	2,000
<hr/>		

37. HANK WILLIAMS MEMORIAL  
ASSOCIATION-GREENVILLE:

(a) Historical Resources Management Program .....		2,000
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## SOURCE OF FUNDS:

(1) State General Fund .....	2,000	
<hr/>		
Total Hank Williams Memorial Association-Greenville .....	2,000	2,000
<hr/>		

38. HELEN KELLER PROPERTY  
BOARD:

(a) Historical Resources Management Program .....		30,000
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## SOURCE OF FUNDS:

(1) State General Fund .....	30,000	
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Total Helen Keller Property Board .....		30,000	30,000
<hr/>			
39. HIGH TECHNOLOGY ECONOMIC DEVELOPMENT FOUNDATION, INC.:			
(a) Industrial Development Program .....			25,000
SOURCE OF FUNDS:			
(1) State General Fund .....		25,000	
		<hr/>	
Total High Technology Economic Development Foundation, Inc. ....		25,000	25,000
<hr/>			
40. INTERSTATE MINING COMMISSION:			
(a) Planning Program .....			8,838
SOURCE OF FUNDS:			
(1) State General Fund .....		8,838	
		<hr/>	
Total Interstate Mining Commission .....		8,838	8,838
<hr/>			
41. JUNIOR MISS PAGEANT, INC., ALABAMA'S:			
(a) Tourism and Travel Promotion Program .....			10,000
SOURCE OF FUNDS:			
(1) State General Fund .....		10,000	
		<hr/>	
Total Alabama's Junior Miss Pageant, Inc. ....		10,000	10,000
<hr/>			
42. JUNIOR MISS PAGEANT, INC., AMERICA'S:			
(a) Tourism and Travel Promotion Program .....			40,000
SOURCE OF FUNDS:			
(1) State General Fund .....		40,000	
		<hr/>	
Total America's Junior Miss Pageant, Inc. ....		40,000	40,000
<hr/>			

43. KETCHEPEDRAKEE CREEK  
WATERSHED CONSERVANCY  
DISTRICT:

(a) Water Resource Development Program .....		1,400
SOURCE OF FUNDS:		
(1) State General Fund .....	1,400	
<hr/>		
Total Ketchepedrakee Creek Watershed Conservancy District .....	1,400	1,400
<hr/>		

44. LAKE EUFAULA SUMMER  
SPECTACULAR:

(a) Tourism and Travel Promotion Program .....		5,602
SOURCE OF FUNDS:		
(1) State General Fund .....	5,602	
<hr/>		
Total Lake Eufaula Summer Spectacular .....	5,602	5,602
<hr/>		

45. MOBILE AREA MARDI GRAS  
ASSOCIATION:

(a) Tourism and Travel Promotion Program .....		2,800
SOURCE OF FUNDS:		
(1) State General Fund .....	2,800	
<hr/>		
Total Mobile Area Mardi Gras Association .....	2,800	2,800
<hr/>		

46. MOBILE CARNIVAL  
ASSOCIATION:

(a) Tourism and Travel Promotion Program .....		2,800
SOURCE OF FUNDS:		
(1) State General Fund .....	2,800	
<hr/>		
Total Mobile Carnival Association .....	2,800	2,800
<hr/>		

47. MOBILE EXPLOREUM-  
MEDICAL:

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(a) Educational Museum Services Program .....			21,000
SOURCE OF FUNDS:			
(1) State General Fund .....	21,000		
Total Mobile Exploream-Medical .....			21,000
			21,000
<b>48. MOUNTAIN LAKES ASSOCIATION, ALABAMA:</b>			
(a) Tourism and Travel Promotion Program .....			14,306
SOURCE OF FUNDS:			
(1) State General Fund .....	14,306		
Total Mountain Lakes Association, Alabama .....			14,306
			14,306
<b>49. PARAMOUNT THEATRE FOR PERFORMING ARTS:</b>			
(a) Fine Arts Program .....			2,500
SOURCE OF FUNDS:			
(1) State General Fund .....	2,500		
Total Paramount Theatre for Performing Arts .....			2,500
			2,500
<b>50. PEA RIVER HISTORICAL AND GENEALOGICAL SOCIETY:</b>			
(a) Historical Resources Management Program .....			3,110
SOURCE OF FUNDS:			
(1) State General Fund .....	3,110		
Total Pea River Historical and Genealogical Society .....			3,110
			3,110
<b>51. PEA RIVER WATERSHED CONSERVANCY DISTRICT</b> (Conservation Department) To be used for capital maintenance and improvements at Coffee County Lake:			
(a) Water Resource Development Program .....			11,400

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## SOURCE OF FUNDS:

(1) State General Fund .....	11,400	
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Total Pea River Watershed

Conservancy District

(Conservation Department) ...	11,400	11,400
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52. PEANUT FESTIVAL  
ASSOCIATION, INC., NATIONAL:

(a) Tourism and Travel Promotion Program .....		8,250
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## SOURCE OF FUNDS:

(1) State General Fund .....	8,250	
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Total National Peanut Festival  
Association, Inc. ....

	8,250	8,250
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53. PIKE COUNTY PIONEER  
MUSEUM ASSOCIATION:

(a) Historical Resources Manage- ment Program .....		5,000
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## SOURCE OF FUNDS:

(1) State General Fund .....	5,000	
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Total Pike County Pioneer  
Museum Association .....

	5,000	5,000
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54. RETIRED SENIOR VOLUNTEER  
PROGRAM-DEPARTMENT OF  
FINANCE:

(a) Special Services Program .....		315,650
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## SOURCE OF FUNDS:

(1) State General Fund .....	315,650	
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Total Retired Senior Volunteer  
Program-Department of  
Finance .....

	315,650	315,650
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The above appropriation to the Retired Senior Volunteer Program shall be distributed in the following manner: \$34,664 to the Foster Grandparent and Senior Companions Programs and \$280,986 to the Retired Senior Volunteer Programs.

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**55. SENIOR BOWL-MOBILE:**

(a) Tourism and Travel Promotion Program .....		40,000
SOURCE OF FUNDS:		
(1) State General Fund .....	40,000	
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Total Senior Bowl-Mobile .....	40,000	40,000
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**56. SHELBY COUNTY HISTORICAL ASSOCIATION:**

(a) Historical Resources Management Program .....		8,750
SOURCE OF FUNDS:		
(1) State General Fund .....	8,750	
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Total Shelby County Historical Association .....	8,750	8,750
<hr/>		

**57. SICKLE CELL EDUCATION PROGRAM:**

(a) East Alabama Sickle Cell .....		62,500
(b) Jefferson County Sickle Cell ..		100,000
(c) Southwest Alabama Sickle Cell		70,000
SOURCE OF FUNDS:		
(1) State General Fund .....	232,500	
<hr/>		
Total Sickle Cell Education Program .....	232,500	232,500
<hr/>		

**58. SIMPSON-MAY CEREBRAL PALSY CENTER:**

(a) Financial Assistance Program .		35,000
SOURCE OF FUNDS:		
(1) State General Fund .....	35,000	
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Total Simpson-May Cerebral Palsy Center .....	35,000	35,000
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**59. SOUTHERN CENTER FOR INTERNATIONAL STUDIES:**

(a) Special Services Program .....		18,750
SOURCE OF FUNDS:		
(1) State General Fund .....	18,750	
<hr/>		

Total Southern Center for International Studies .....		18,750	18,750
<hr/>			
60. SOUTHERN CHAMPIONSHIP CHARITY HORSESHOW:			
(a) Tourism and Travel Promotion Program .....			3,110
SOURCE OF FUNDS:			
(1) State General Fund .....		3,110	
<hr/>			
Total Southern Championship Charity Horseshow .....		3,110	3,110
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61. SPIRIT OF AMERICA FESTIVAL, INC.			
(a) Tourism and Travel Promotion Program .....			2,801
SOURCE OF FUNDS:			
(1) State General Fund .....		2,801	
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Total Spirit of America Festival, Inc. ....		2,801	2,801
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62. ST. CLAIR COUNTY HISTORICAL SOCIETY:			
(a) Historical Resources Manage- ment Program .....			5,000
SOURCE OF FUNDS:			
(1) State General Fund .....		5,000	
<hr/>			
Total St. Clair County Historical Society .....		5,000	5,000
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63. STEER SHOW ASSOCIATION, ALABAMA STATE:			
(a) Agricultural Development Ser- vices Program .....			15,000
SOURCE OF FUNDS:			
(1) State General Fund .....		15,000	
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Total Alabama State Steer Show Association .....		15,000	15,000
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**64. TALLACOOSA HIGHLAND  
LAKES ASSOCIATION:**

(a) Tourism and Travel Promotion Program .....		5,602
SOURCE OF FUNDS:		
(1) State General Fund .....	5,602	
<hr/>		
Total Tallacoosa Highland Lakes Association .....	5,602	5,602
<hr/>		

**65. TALLASSEEHATCHIE CREEK  
WATERSHED CONSERVANCY  
DISTRICT**

(a) Water Resource Development Program .....		1,237
SOURCE OF FUNDS:		
(1) State General Fund .....	1,237	
<hr/>		
Total Tallasseehatchie Creek Watershed Conservancy District .....	1,237	1,237
<hr/>		

**66. TENNESSEE RIVER VALLEY  
ASSOCIATION:**

(a) Water Resource Development Program .....		8,708
SOURCE OF FUNDS:		
(1) State General Fund .....	8,708	
<hr/>		
Total Tennessee River Valley Association .....	8,708	8,708
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**67. TENNESSEE VALLEY  
PUBLICITY AND  
IMPROVEMENT ASSOCIATION:**

(a) Tourism and Travel Promotion Program .....		24,881
SOURCE OF FUNDS:		
(1) State General Fund .....	24,881	
<hr/>		
Total Tennessee Valley Publicity and Improvement Association .....	24,881	24,881
<hr/>		

**68. TERRAPIN CREEK**

WATERSHED CONSERVANCY  
DISTRICT:

(a) Water Resource Development Program .....		1,400
SOURCE OF FUNDS:		
(1) State General Fund .....	1,400	
<hr/>		
Total Terrapin Creek Watershed Conservancy District .....	1,400	1,400
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## 68. TRAVEL COUNCIL, ALABAMA:

(a) Tourism and Travel Promotion Program .....		40,000
SOURCE OF FUNDS:		
(1) State General Fund .....	40,000	
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Total Alabama Travel Council	40,000	40,000
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70. TRI-RIVERS WATERWAY  
DEVELOPMENT ASSOCIATION:

(a) Water Resource Development Program .....		16,794
SOURCE OF FUNDS:		
(1) State General Fund .....	16,794	
<hr/>		
Total Tri-Rivers Waterway Development Association .....	16,794	16,794
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71. VESTAVIA HILLS DOGWOOD  
FESTIVAL AND TRAIL:

(a) Tourism and Travel Promotion Program .....		1,500
SOURCE OF FUNDS:		
(1) State General Fund .....	1,500	
<hr/>		
Total Vestavia Hills Dogwood Festival and Trail .....	1,500	1,500
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72. VETERANS DAY COMMITTEE,  
NATIONAL:

(a) Historical Resources Manage- ment Program .....		4,358
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**SOURCE OF FUNDS:**

(1) State General Fund .....	4,358	
<hr/>		
Total National Veterans Day Committee .....	4,358	4,358
<hr/>		

**73. VETERANS DAY IN ALABAMA:**

(a) Historical Resources Manage- ment Program .....	1,244
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**SOURCE OF FUNDS:**

(1) State General Fund .....	1,244	
<hr/>		
Total Veterans Day in Alabama .....	1,244	1,244
<hr/>		

**74. W. C. HANDY PROPERTY  
BOARD:**

(a) Historical Resources Manage- ment Program .....	15,000
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**SOURCE OF FUNDS:**

(1) State General Fund .....	15,000	
<hr/>		
Total W. C. Handy Property Board .....	15,000	15,000
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**75. Y.M.C.A. IN MONTGOMERY,  
CLEVELAND AVENUE  
BRANCH:**

(a) Special Services Program .....	4,005
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**SOURCE OF FUNDS:**

(1) State General Fund .....	4,005	
<hr/>		
Total Y.M.C.A. in Montgomery, Cleveland Avenue Branch .....	4,005	4,005
<hr/>		

**76. Y.M.C.A. YOUTH LEGISLATURE:**

(a) Special Services Program .....	12,750
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**SOURCE OF FUNDS:**

(1) State General Fund .....	12,750	
<hr/>		
Total Y.M.C.A. Youth Legislature .....	12,750	12,750
<hr/>		

77. JESSE OWENS MEMORIAL  
PARK:

(a) Special Services Program .....		12,000
SOURCE OF FUNDS:		
(1) State General Fund .....	12,000	
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Total Jesse Owens Memorial Park .....	12,000	12,000
<hr/>		

F. DEBT SERVICE FUNDED FROM  
THE STATE GENERAL FUND:

1. General Obligation Capital Improvement Bonds, Series A and B, Estimated .....		1,331,625
SOURCE OF FUNDS:		
(1) State General Fund- Transfer .....	1,331,625	
<hr/>		
Total General Obligation Capital Improvement Bonds, Series A and B, Estimated .....	1,331,625	1,331,625
<hr/>		
2. General Obligation Coosa Waterway Bonds, Series A and B, Estimated ..		1,010,298
SOURCE OF FUNDS:		
(1) State General Fund- Transfer .....	1,010,298	
<hr/>		
Total General Obligation Coosa Waterway Bonds, Series A and B, Estimated .....	1,010,298	1,010,298
<hr/>		
3. General Obligation Docks Facilities Bonds, Series A-C, Estimated .....		4,175,900
SOURCE OF FUNDS:		
(1) State General Fund- Transfer .....	4,175,900	
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Total General Obligation Docks Facilities Bonds, Series A-C, Estimated .....	4,175,900	4,175,900
<hr/>		
4. Inland Waterway Improvement Bonds, Series A, Estimated .....		179,428

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**SOURCE OF FUNDS:**

(1) State General Fund- Transfer .....	179,428	
<hr/>		
Total Inland Waterway Improvement Bonds, Series A, Estimated .....	179,428	179,428
<hr/>		

5. Tennessee-Tombigbee Waterway  
Bonds, Series A-D, Estimated ..... 4,178,473

**SOURCE OF FUNDS:**

(1) State General Fund- Transfer Estimated pursu- ant to Constitutional Amendment No. CCLXX as provided in Act No. 248, 1967 Regular Session	4,178,473	
<hr/>		
Total Tennessee-Tombigbee Waterway Bonds, Series A-D, Estimated .....	4,178,473	4,178,473
<hr/>		

6. Corrections Institution Bonds,  
Estimated ..... 1,052,250

**SOURCE OF FUNDS:**

(1) State General Fund- Transfer, Estimated .....	1,052,250	
<hr/>		
Pursuant to Constitutional Amendment No. 374 as provided for in Act No. 134, 1978 Second Special Session.		
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Total Corrections Institution Bonds, Estimated .....	1,052,250	1,052,250
<hr/>		

7. General Obligation Bonds, 1982,  
Series A and B, and General  
Obligation Refunding Bonds, 1983,  
Series A and B, Estimated ..... 55,937,676

**SOURCE OF FUNDS:**

(1) State General Fund- Transfer, Estimated .....	55,937,676	
<hr/>		
Total General Obligation Bonds, 1982, Series A and B, General Obligation Refunding		

Bonds, 1983, Series A and B,

Estimated ..... 55,937,676

55,937,767

Section 3. That, except as may be herein otherwise provided, that amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except as may be provided for under Sections 5 and 6 of this bill, as provided in the Budget Management Act of 1976, Sections 41-19-1 through 12, Code of Alabama 1975, and those appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Sections 41-4-80 through 96, Code of Alabama 1975, as amended, and the Budget Management Act of 1976, Sections 41-19-1 through 12, Code of Alabama 1975.

Section 4. That any surplus remaining in any appropriation herein made from the State General Fund to any office, department, bureau, board, commission, or agency may be transferred, on order of the Governor, to any other appropriation herein made from the State General Fund when such appropriation to any office, department, bureau, board, commission, or agency is insufficient to pay salaries in that office, department, bureau, board, commission, or agency.

Section 5. In addition to appropriations herein made, all gifts, grants, contributions, appropriations, entitlements or any other funds, in excess of the amount carried in the bill, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office of officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made. Further, all state, county and educational entities are authorized to disburse such sums as deemed necessary by mutual agreement between said entities and the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by Section 41-5-24, Code of Alabama 1975.

Section 6. Under the State and Local Fiscal Assistance Act of 1972, as amended, Public Law 92-512, 92nd Congress, any interest earned by the State thereon, together with any accruals or reversions accruing from Revenue Sharing Investments are hereby appropriated for General Government to be spent at the discretion of the Governor.

Section 7. All encumbered balances of all prior-year appropriations shall revert to the State Treasury at the end of the 1984-85 Fiscal Year and to the credit of the General Fund or the trust fund from which the appropriation or appropriations were made. Appropriations for the purchase of land or the erection of buildings or new construction (including highway maintenance) shall continue in force until the completion of the work for which such appropriations are made.

Section 8. That, if any section, paragraph, sentence, clause, provision, or portion of the Act or all or any portion of any appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 9. That all laws and parts of laws, general, special, private, or local in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

Section 10. That each Department of the State funded through the provisions of this budget shall provide an equal opportunity for employment and business opportunities for all citizens of this state without regard to sex or race.

Section 11. That this Act shall become effective October 1, 1984.

Yeas 56; Nays 7.

*Yeas:*

Mr. Speaker, Albright, Beers, Blake, Boles, Bowling, Box, Brakefield, Browder, Bryant, Buskey (James), Buskey (John), Carothers, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Flowers, Gaston, Goodwin, Harper, Harvey, Holley, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Perdue, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Tanner, Trammell, Turner, White (F) and Zoghby.

—56

*Nays:*

Reps.: Bachus, Brooks, Hettinger, Hooper, McKee, Onderdonk, and Poole.

—7

#### SENATE AMENDMENT ADOPTED

The question was then on the adoption of the Senate amendment to the bill, H. 229, and on motion of Rep. Coburn, the amendment was adopted.

Yeas 89; Nays 3.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Escott, Faulk, Flowers, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F) and Zoghby.

—89

*Nays:* Reps.: Brooks, McKee and Starkey.

—3

And the bill, H. 229 as thus amended, was again read at length and passed.

Yeas 91; Nays 2.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Preuitt, Rains, Rice, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—91

*Nays:* Reps. Brooks and McKee.

—2

#### MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Gray to suspend the rules in order to take up out of order the bill, H. 10, was lost.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 815. To make an additional appropriation to the Office of the Attorney General for the payment of salaries and other expenses and to provide for repayment of certain amounts to the State Treasury and to amend Act No. 83-836, Third Special Session 1983.

JIMMY CLARK,  
Chairman.

And the bill, H. 815 as engrossed, was ordered sent to the Senate.

#### CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 1:10 P.M. on May 3, 1984.

H. 215

H. 359

H. 266



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Delivered to the Governor at 3:40 P.M. on May 3, 1984.

H. 708

JOHN W. PEMBERTON,  
Clerk.

ADJOURNMENT

On motion of Rep. Cosby and pursuant to the resolution, H. R. 331, heretofore adopted, the House adjourned until 2:00 o'clock p.m., Tuesday, May 8, 1984.

TWENTY-SEVENTH DAY

House of Representatives  
Montgomery, Alabama  
Tuesday, May 8, 1984

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Rev. Wayne Otha Bradley, Air Port Boulevard, Assembly of God, Mobile, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammel, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-sixth legislative day and finds the same to be correct.

JIMMY CLARK,  
Chairman.

On motion of Rep. Clark, J., the reading at length of the Journal of the House for the twenty-sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-sixth legislative day was approved.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 447. To amend Section 41-16-51, Code of Alabama 1975, as amended by Act No. 83-515 enacted during the 1983 Regular Session of the Legislature of Alabama, so as to restore the previously existing exemption for equipment used and consumed in the removal and routine operation of any waterworks system, sanitary sewer system, gas or electric system owned by municipalities, counties or public corporations, boards or authorities that are agencies, departments or instrumentalities of municipalities or counties among those contracts for which competitive bidding is not required.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 186. To define and regulate health studios and to provide for criminal penalties.

McDOWELL LEE,  
Secretary.

#### MOTION IN WRITING

Rep. Hall filed the following Motion in Writing:

Having voted on the prevailing side by which S. 356 was carried over 2 Legislative Days, I move to reconsider said vote.

#### NOTICE IN WRITING

Rep. Black filed the following Notice in Writing:

Notice is hereby given that on the next legislative day a motion will be made to amend the rules of the House as follows:

~~Rule 31a. Any bill providing for or dealing with parimutuel betting and any bill providing for or dealing with hazardous waste shall be treated as a general bill~~

Rule 31a. Any bill providing for the establishment of a race track or hazardous waste dump shall be treated as a general bill. All other bills shall be treated as local legislation.

REPORT OF THE STANDING COMMITTEE ON RULES  
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 229. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for other functions of government, for interest on the public debt, and for capital outlay for the fiscal year ending September 30, 1985.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE  
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 287. MOURNING THE DEATH OF MR. BARRETT CLINTON SHELTON OF DECATUR, ALABAMA.

Also:

H. J. R. 288. DECLARING MAY 3, 1984, A STATE "DAY OF PRAYER" IN ALABAMA.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO RECOMMIT

Rep. Holley offered the motion to recommit the bill, S. 76, to the Standing Committee on Judiciary.

MOTION TO TABLE LOST

The motion offered by Rep. Johnson (Roy) to table the motion offered by Rep. Holley to recommit the bill, S. 76, was lost.

Yeas 41; Nays 41.

*Yeas:*

Reps.: Albright, Blake, Boles, Bowling, Box, Bryant, Bugg, Buskey (John), Campbell, Clark (D), Clark (J), Coburn, Coleman, Davis, Dutton, Escott, Fuller, Goodwin, Harper, Hettinger, Holmes, Horn, Johnson (Roy), Junkins, McDowell, McMillan, McNair, Marietta, Martin, Melton, Mitchell, Moore, Newman, Penry, Perdue, Reed, Rogers, Spratt, Starkey, Tanner and Thomas.

—41

*Nays:*

Mr. Speaker, Adams, Blakeney, Brakefield, Brooks, Browder, Burke, Buskey (James), Butler, Clark (W), Cosby, Faulk, Gaston, Gray, Grouby, Hall, Holley, Hooper, Johnson (R.G.), Kennedy, Laird, Lauderdale, McKee, Mathis, Mikell, Nicholson, Parker, Payne, Pratt, Preuitt, Rains, Rice, Richardson, Sasser, Smith, Trammell, Turner, Warren, White (F), White (G) and Zoghby.

—41

#### MOTION TO RECOMMIT ADOPTED

The question was then on the motion offered by Rep. Holley to recommit the bill, S. 76 to the Standing Committee on Judiciary.

#### MOTION TO SUSPEND RULES ADOPTED

The motion offered by Rep. Johnson (Roy), to suspend the rules and call for a roll call vote taken viva voce was adopted.

And the motion to recommit the bill, S. 76, to the Standing Committee on Judiciary was adopted.

Yeas 45; Nays 40.

*Yeas:*

Mr. Speaker, Adams, Beers, Blakeney, Brakefield, Britnell, Brooks, Browder, Burke, Butler, Carter, Clark (W), Cosby, Faulk, Flowers, Gaston, Gray, Grouby, Harvey, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Laird, Lauderdale, McKee, Mathis, Mikell, Mitchell, Nicholson, Parker, Payne, Pratt, Preuitt, Rains, Rice, Richardson, Sasser, Smith, Trammell, Turner, Turnham, Venable, Warren and White (F).

—45

*Nays:*

Reps.: Albright, Black, Blake, Boles, Bowling, Box, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Clark (D), Clark (J), Coburn, Coleman, Crow, Dutton, Escott, Fuller, Goodwin, Harper, Hettinger, Holmes, Horn, Junkins, McDowell, McMillan, Marietta, Melton, Moore, Newman, Penry, Perdue, Reed, Rogers, Spratt, Starkey, Tanner, Thomas and Zoghby.

—40

And the Speaker recommitted the bill, S. 76, to the Standing Committee on Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 81. To amend Chapter 7 of Title 32 of the Code of Alabama 1975 commonly known as the Motor Vehicle Safety-Responsibility Act by amending Sections 32-7-5, 32-7-6 and 32-7-23 thereof so as to increase the amount of property damage which must be sustained to require an accident report to be filed and to increase the security required for an automobile or a motor vehicle liability policy while prohibiting duplication and the stacking of such under the uninsured and underinsured motorist coverage and make available underinsured motorist coverage under the Motor Vehicle Safety-Responsibility Act.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

Rep. Johnson (Roy) offered the motion that the House non-concur in the Senate amendment to the bill, H. 81, said Senate amendment being as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Chapter 7 of Title 32 of the Code of Alabama 1975 commonly known as the Motor Vehicle Safety-Responsibility Act by amending Sections 32-7-5, 32-7-6, 32-7-16 and 32-7-23 thereof so as to increase the amount of property damage which must be sustained to require an accident report to be filed and to provide what the term "uninsured motor vehicle" shall include under the uninsured motorist coverage section of the Motor Vehicle Safety-Responsibility Act, increases the amount of payment on judgments necessary to satisfy the requirements of the Motor Vehicle Safety-Responsibility Act, and to increase the minimum amount of liability required under a motor vehicle liability policy under the Motor Vehicle Safety-Responsibility Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 32-7-5, Code of Alabama 1975, is hereby amended to read as follows:

"§ 32-7-5. The operator of every motor vehicle which is in any manner involved in an accident within this state, in which any person is killed or injured or in which damage to the property of any one person, including himself, in excess of \$60.00 \$250.00 is sustained, shall within 10 days after such accident report the matter in writing to the director. Such report, the form of which shall be prescribed by the director, shall contain only such information as may be necessary to enable the director to determine whether the requirements for the deposit of security under section 32-7-6 are inapplicable by reason of existence of insurance or other exceptions specified in this chapter. The director may rely upon the accuracy of the information unless and until he has reason to believe that the information is erroneous. If such operator is physically incapable of making such report, the owner of the motor vehicle involved in such accident shall, within 10 days after learning of the accident, make such report. The operator or the

owner shall furnish such additional relevant information as the director shall require."

Section 2. Section 32-7-6, Code of Alabama 1975, is hereby amended to read as follows:

"§ 32-7-6. (a) Security required unless evidence of insurance; when security determined. If 20 days after the receipt of a motor vehicle accident within this state which has resulted in bodily injury or death, or damage to the property of any one person in excess of \$50.00 \$250.00, the director does not have on file evidence satisfactory to him that the person who would otherwise be required to file security under subsection (b) of this section has been released from liability, or has been finally adjudicated not to be liable, or has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments with respect to all claims for injuries or damages resulting from the accident, the director shall determine the amount of security which shall be sufficient in his judgment to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against each operator or owner.

"(b) Suspension—The director shall, within 60 days after the receipt of such report of a motor vehicle accident, suspend the license of each operator and all registrations of each owner of a motor vehicle in any manner involved in such accident, and if such operator is a nonresident the privilege of operating a motor vehicle within this state, and if such owner is a nonresident the privilege of the use within this state of any motor vehicle owned by him, unless such operator or owner or both shall deposit security in the sum so determined by the director; provided that notice of such suspension shall be sent by the director to such operator and owner not less than 10 days prior to the effective date of such suspension and shall state the amount required as security. Where erroneous information is given the director with respect to the matters set forth in subdivisions (1), (2) or (3) of subsection (c) of this section, he shall take appropriate action as hereinbefore provided within 60 days after receipt of him of correct information with respect to said matters.

"(c) Exception—This section shall not apply under the conditions stated in Section 32-7-7 nor:

"(1) to such operator or owner if such owner had in effect at the time of such accident an automobile liability policy with respect to the motor vehicle involved in such accident;

"(2) to such operator, if not the owner of such motor vehicle, if there was in effect at the time of such accident an automobile liability policy or bond with respect to his operation of motor vehicles not owned by him;

"(3) to such operator or owner if the liability of such operator or owner for damages resulting from such accident is, in the judgment of the director, covered by any other form of liability insurance policy or bond; and

"(4) to any person qualifying as a self-insurer under section 32-7-34, or to any person operating a motor vehicle for such self-insurer.

"No such policy or bond shall be effective under this section unless issued by an insurance company or surety company authorized to do business in this state; except, that if such motor vehicle was not registered in this state, or was a motor vehicle which was registered elsewhere than in this state at the effective date of the policy or bond, or the most recent renewal thereof, such policy or bond shall not be effective under this section unless

the insurance company or surety company, if not authorized to do business in this state, shall execute a power of attorney authorizing the director to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such accident; provided, that every such policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than \$10,000.00 \$20,000.00 because of bodily injury to or death of one person in any one accident and subject to said limit for one person, to a limit or not less than \$20,000.00 \$40,000.00 because of bodily injury to or death of two or more persons in any one accident, and, if the accident has resulted in injury to or destruction of property, to a limit of not less than \$5,000.00 \$10,000.00 because of injury to or destruction of property of others in any one accident."

Section 3. Section 32-7-16, Code of Alabama 1975, is hereby amended to read as follows:

"§ 32-7-16. Judgments herein referred to shall, for the purpose of this chapter only, be deemed satisfied:

"(1) when \$10,000.00 \$20,000.00 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident;

"(2) when, subject to such limit of \$10,000.00 \$20,000.00 because of bodily injury to or death of one person, the sum of \$20,000.00 \$40,000.00 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident; or

"(3) when \$5,000.00 \$10,000.00 has been credited upon any judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one accident.

"Payments made in settlement of any claims because of bodily injury, death or property damage arising from a motor vehicle accident shall be credited in reduction of the amounts provided for in this section."

Section 4. Section 32-7-23, Code of Alabama 1975, is hereby amended to read as follows:

"§ 32-7-23. (a) No automobile liability or motor vehicle liability policy insuring against loss resulting from liability imposed by law for bodily injury or death suffered by any person arising out of the ownership, maintenance or use of a motor vehicle shall be delivered or issued for delivery in this state with respect to any motor vehicle registered or principally garaged in this state unless coverage is provided therein or supplemental thereto, in limits for bodily injury or death set forth in subsection (c) of section 32-7-6, under provisions approved by the commissioner of insurance for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles because of bodily injury, sickness or disease, including death, resulting therefrom; provided, that the named insured shall have the right to reject such coverage in writing, such coverage need not be provided in or supplemental to a renewal policy where the named insured had rejected the coverage in connection with the policy previously issued to him by the same insurer.

"(b) The term "uninsured motor vehicle" shall include, but is not limited to, motor vehicles with respect to which: (1) neither the owner nor the operator carries bodily injury liability insurance; (2) any applicable policy liability limits for bodily injury are below the minimum required under sec-

tion 32-7-6; (3) the insurer becomes insolvent after the policy is issued so there is no insurance applicable to, or at the time of, the accident; (4) the sum of the limits of liability under all bodily injury liability bonds and insurance policies available to an injured person after an accident is less than the damages which the injured person is legally entitled to recover."

"(c) The recovery by an injured person under the uninsured provisions of any one contract of automobile insurance shall be limited to the primary coverage plus such additional coverage as may be provided for additional vehicles, but not to exceed two additional coverages within such contract."

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are hereby repealed. Nothing in this act should be construed to abrogate the exclusions, terms, conditions or other provisions of any policy of automobile liability insurance which has been approved by the Insurance Commissioner.

Section 7. This act shall become effective January 1, 1985 upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### SUBSTITUTE MOTION OFFERED

Rep. Johnson (Roy) offered the substitute motion that the House non-concur in the Senate amendment to the bill, H. 81, and request a Committee on Conference be appointed to reconcile the differences between the two Houses.

#### SUBSTITUTE MOTION TO SUBSTITUTE MOTION OFFERED

Rep. Marietta offered the following substitute motion to the substitute motion offered by Rep. Johnson (Roy), that the House concur in and adopt the Senate amendment to the bill, H. 81.

#### MOTION TO TABLE LOST

The motion offered by Rep. Johnson (Roy) to table the substitute motion offered by Rep. Marietta, was lost.

Yeas 45; Nays 50.

*Yeas:*

Reps.: Beers, Biddle, Blake, Brakefield, Browder, Bryant, Burke, Butler, Carothers, Clark (J), Coleman, Cosby, Faulk, Flowers, Gaston, Gray, Grouby, Hall, Hammett, Harper, Harvey, Holley, Hooper, Johnson (R.G.), Junkins, Kvalheim, Laird, McKee, McMillan, Mikell, Mitchell, Newman, Payne, Penry, Preuitt, Richardson, Sasser, Smith, Starr, Turnham, Venable, Warren, White (F), White (L) and Zoghby.

—45

*Nays:*

Mr. Speaker, Adams, Albright, Bachus, Black, Blakeney, Boles, Box, Britnell, Brooks, Bugg, Buskey (James), Buskey (John), Campbell, Carter, Clark (D), Clark (W), Coburn, Crow, Davis, Dutton, Escott, Fuller, Hettinger, Holmes, Horn, Johnson (Roy), Lauderdale, McDowell, McNair,



Marietta, Martin, Mathis, Melton, Moore, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Rains, Rice, Rogers, Spratt, Starkey, Tanner, Thomas, Trammell and Turner.

—50

The question was then on the substitute motion offered by Rep. Marietta to the substitute motion offered by Rep. Johnson (Roy), that the House concur in and adopt the Senate amendment to the bill, H. 81.

#### MOTION TO SUSPEND RULES ADOPTED

The motion offered by Rep. Johnson (Roy) to suspend the rules and call for a roll call vote taken viva voce was adopted.

And the substitute motion offered by Rep. Marietta that the House concur in and adopt the Senate amendment to the bill, H. 81, was adopted.

Yeas 49; Nays 48.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Black, Blakeney, Boles, Box, Britnell, Brooks, Bugg, Buskey (James), Buskey (John), Campbell, Carter, Clark (D), Clark (W), Coburn, Crow, Davis, Dutton, Fuller, Grayson, Hettinger, Holmes, Horn, Johnson (Roy), Kennedy, Lauderdale, McDowell, Marietta, Martin, Mathis, Melton, Moore, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Rains, Reed, Rogers, Spratt, Starkey, Tanner, Trammell and Turner.

—49

*Nays:*

Reps.: Beers, Biddle, Blake, Brakefield, Bryant, Burke, Butler, Carothers, Clark (J), Coleman, Cosby, Escott, Faulk, Flowers, Gaston, Grouby, Hall, Hammett, Harper, Harvey, Holley, Hooper, Johnson (R.G.), Junkins, Kvalheim, Laird, McKee, McMillan, McNair, Mikell, Mitchell, Newman, Payne, Penry, Preuit, Rice, Richardson, Sasser, Seibels, Smith, Starr, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—48

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 114. To further regulate and control alcoholic beverage transactions in Alabama under the control and supervision of the Alcoholic Beverage Control Board; to provide that each manufacturer or importer of alcoholic beverages selling its products in Alabama through wholesale licenses to retail licensees shall designate sales territories within the state and shall enter into a written territorial agreement naming an exclusive wholesaler for each such designated sale territory, and shall file with Board the designated sales territories and a copy of each territorial agreement; to provide that such territorial agreement may not establish or maintain resale price; to provide for the modification of the designated sales territories and exclusive territorial agreements; to provide for verification by the Board of timely and proper filing of returns and payment of state and local taxes levied on alcoholic beverages by statute; to make it unlawful for any manufacturer or im-

porter to permit its products to be sold in Alabama without the designation of sales territories and exclusive wholesalers for such territories, for any wholesaler to sell alcoholic beverages in any territory other than that designated as his exclusive sales territory or to sell any brand of alcoholic beverages without authorization from its manufacturer or importer, and for any retailer to purchase any alcoholic beverages from a wholesaler which has not been designated as the exclusive wholesaler for such alcoholic beverages for the sales territory within which the retailer's place of business is located; to provide penalties for violation of the provisions of this act; and to repeal all laws or parts of laws in conflict or inconsistent herewith.

Also:

S. 153. To permit banks now or hereafter situated in Chambers County to establish, maintain or operate branch banks and branch offices within said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Also:

S. 175. To amend Section 11-43-3, Code of Alabama 1975, to eliminate the requirement that the city treasurer and the city clerk in municipalities of more than 6,000 inhabitants must be a resident of the city but providing that the council may, by ordinance, require that such officers be residents of the city.

Also:

S. 186. To define and regulate health studios and to provide for criminal penalties.

Also:

S. 447. To amend Section 41-16-51, Code of Alabama 1975, as amended by Act No. 83-515 enacted during the 1983 Regular Session of the Legislature of Alabama, so as to restore the previously existing exemption for equipment used and consumed in the removal and routine operation of any waterworks system, sanitary sewer system, gas or electric system owned by municipalities, counties or public corporations, boards or authorities that are agencies, departments or instrumentalities of municipalities or counties among those contracts for which competitive bidding is not required.

McDOWELL LEE,  
Secretary.

#### SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 213. EXPRESSING THE LEGISLATURE'S APPRECIATION TO THE AUBURN UNIVERSITY STUDENT BODY.

Also:

S. J. R. 219. MOURNING THE DEATH OF MR. L. HOLLAND FLOYD OF MONTEVALLO, ALABAMA.

Also:

S. J. R. 222. EXPRESSING APPRECIATION OF THE LEGISLATURE TO CHARLIE AND ALLIE WILSON OF TALLADEGA, ALABAMA.

McDOWELL LEE,  
Secretary.

### SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

### MOTION TO SUSPEND RULES LOST

The motion offered by Rep. White (F) to suspend the rules and take up local bills, was lost, lacking a four-fifths vote.

Yeas 38; Nays 28.

*Yeas:*

Reps.: Beers, Blakeney, Britnell, Burke, Butler, Carter, Clark (J), Coleman, Cosby, Faulk, Flowers, Gaston, Grouby, Hall, Hammett, Harper, Harvey, Hooper, Johnson (R.G.), Kvalheim, Laird, McKee, McMillan, Melton, Mikell, Nicholson, Payne, Penry, Richardson, Sasser, Seibels, Smith, Starr, Turnham, Venable, Warren, White (F) and White (L).

—38

*Nays:*

Reps.: Boles, Bryant, Bugg, Buskey (James), Buskey (John), Carothers, Clark (W), Crow, Davis, Dutton, Escott, Fuller, Goodwin, Holmes, Johnson (Roy), Lauderdale, McDowell, Marietta, Mathis, Moore, Parker, Pratt, Rains, Rice, Rogers, Spratt, Starkey and Tanner.

—28

### BILLS ON SECOND READING

Rep. Coburn, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 978. (With Amendment): To amend Section 41-5-19 of the Code of Alabama 1975 so as to further provide that members of the Legislative Committee on Public Accounts shall receive their legislative pay and expense allowance and mileage for each meeting of the Committee.

S. 15. (With Amendment): To make an appropriation from the Special Educational Trust Fund to the State of Alabama Small Business Procurement System.

WHEREAS, in 1982 the U. S. Government spent \$3.2 billion for procurement in Alabama and Alabama firms received only five percent (5%) of that business; and

WHEREAS, the purpose of the System is to build on the existing network of twelve (12) Small Business Development Centers (SBDC's) in Alabama to develop government procurement/contracting opportunities for Alabama small businesses; and

WHEREAS, the proposed automated data-based State of Alabama Small Business Procurement System would have the following configuration:

1. System development, maintenance, and control functioning would be housed at the ASBDC State Office at The University of Alabama in Birmingham.

2. System Input—Information concerning invitations for bid (IFB), pre-bid announcements and related contract data would be accumulated from federal government purchasing offices in Florida, Georgia, Alabama, Mississippi, Louisiana, and Tennessee; State of Alabama purchasing offices; local government agencies including county, city, school board, and related agencies; and prime contractors and private industry summarized and entered into the system. Contracting capabilities of Alabama firms would be entered into the system.

3. System Output—System would match each client firm's capabilities with contracting opportunities and prepare pre-mailer to firm as notification of the contracting opportunity on a weekly basis. This output would occur at each of the twelve (12) local SBDC's. Local SBDC staff would provide follow-through with client firms and on-going consultation; and

WHEREAS, the proposed System, after two (2) years of operation, should double the amount of government contracting dollars going to Alabama's small businesses; now therefore,

Rep. Coburn, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 534. To amend Sections 33-16-7, 33-16-9 and 33-16-11 of the Code of Alabama 1975 to authorize the Coosa Valley Development Authority to undertake certain additional types of obligations, to modify certain restrictions pertaining to the contractual obligations of said authority, to provide that certain contracts between said authority and the United States shall not be subject to certain requirements generally applicable to contracts of said authority and to clarify the respective responsibilities of said authority and the state docks department with respect to the provision and maintenance of river and canal terminals.

S. 452. To amend Section 36-29-10, Code of Alabama 1975, which provides for the election of retired state employees, and retired teachers to continue coverage under the group insurance plan by the deduction of premiums for such coverage from their monthly benefit payments, so as to allow the state to assume a portion of the cost.

S. 460. To authorize certain surplus state owned property to be loaned to volunteer ambulance services and volunteer rescue squads; to provide for a screening procedure and the final disposition of said property;

and to provide for certain criminal penalties for violating the provisions of this act.

S. 507. To amend Section 37-3-32 relating to Public Service Commission appropriations and increasing the registration fees of motor carrier vehicles.

S. 192. To make a supplemental appropriation from the general fund in the state treasury to the office of the Secretary of State the fiscal year ending September 30, 1984.

S. 227. To amend Sections 12-17-231 and 12-17-233, Code of Alabama 1975, relating to the Office of Prosecution Services, so as to provide that employees of said office shall be eligible for membership in the state employees' retirement system; to authorize legislative appropriations to the office; and to further define the program of the Office of Prosecution Services.

S. 158. To exempt electric cooperatives and electric membership corporations organized under Chapters 6 and 7 of Title 37 of the Code of Alabama of 1975, as amended, from the provisions of the Uniform Disposition of Unclaimed Property Act, which Act is codified in Sections 35-12-20 through 35-12-48, Code of Alabama of 1975, as amended, to establish an effective date of January 1, 1983, to repeal laws inconsistent therewith and to provide that the provisions of the Act are severable and that if any provision is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

S. 514. To amend Section 16-3-9, Code of Alabama, 1975, which provides for a specific expense allowance for each member of the State Board of Education.

S. 430. To provide for the payment of tuition and the cost of textbooks for an undergraduate student in a state college, state community college, state junior college, state technical college, or state university, who is the dependent child or spouse who has not remarried, of a law enforcement officer or firefighter killed in the line of duty; to create a Tuition Eligibility Board to administer the provisions of the act and appointments and memberships; and to prescribe its composition, duties and responsibilities; to appropriate sufficient funds from the general fund of the state treasury; and to specifically repeal Act No. 82-277, S. 237 of the 1982 Regular Session (Acts 1982, p. 348), which is the "Policeman's Survivor Act" and conflicting laws; and to make the provisions retroactively effective.

S. 513. To make a supplemental appropriation to the National Conference of State Legislatures for membership dues.

Rep. Campbell, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 512. To amend Section 36-21-9, Code of Alabama 1975, so as to provide further for the issuance of authorization for certain honorably retired law enforcement officers to carry handguns.

S. 117. To amend Act 82-514, The Revised Alabama Professional Corporation Act, by amending Sections 10 and 24 to determine the date of disqualification of shareholders and to allow corporations in existence December 31, 1983 in which licensed medical and dental professionals were allowed to be shareholders under Section 10-4-235, Code of Alabama, to continue.

S. 220. To provide an additional or alternative remedy to the Reciprocal State Enforcement of Duty to Support law, Code of Alabama 1975, §§30-4-80 through 30-4-98, for the benefit of any person owed the duty of support where said duty arises pursuant to a foreign support order or decree as defined in this Act.

S. 244. To provide that support may be ordered paid directly to the Department of Pensions and Security or its designee in any case where the Department has been subrogated to the rights of a child or other person to collect and receive support payments from the obligor, including but not necessarily limited to those instances in which the child or other person is receiving Aid to Dependent Children, Aid to Families with Dependent Children or has otherwise made application for collection services through the Department pursuant to Title IV-D of the Social Security Act and amendments thereto; provides for the distribution of monies collected; provides for notice to the court of the location and address where monies shall be received; provides for contracting with a designated party; provides that the record of collections shall constitute the official payment record, and shall be prima facie evidence of the payment made by the obligor.

S. 283. Relating to prescription drugs which are not controlled substances, to prohibit the sale of such drugs and prescribing penalties therefor.

S. 353. To establish penalties for certain criminal activities in respect to computers.

S. 449. To insure that all persons whose primary condition is mental retardation and are accused of a crime, be identified by appropriate testing procedures between the time of their arrest and first formal court appearance so that insofar as is possible within the existing criminal justice system, such individuals can be most fairly processed in view of their special problems.

Rep. Horn, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 143. (With Amendment): Relating to elections, to establish an annual voter registration day; to require that the hours of the board of registrars coincide with the business hours of the courthouse; to require that in certain counties, the probate judge or chief probate clerk or others be appointed as deputy registrars; to require, upon the request of certain municipal governing bodies, the appointment of the clerk of the municipality as a deputy registrar; to authorize certain high school and college officials to serve as deputy registrars; to establish a population basis for authorizing session days for boards of registrars; to provide for severability; and, to provide an effective date.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 817. Relating to the County and City of Tuscaloosa, to provide that the residents of school district Number 3, who are currently served by

the municipal board of education, shall be served by the county board of education.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 949. (With Amendment): Relating to Shelby County; to require the installation and maintenance of an improved system of recording and indexing documents affecting the title to property and other documents recorded in the office of the Judge of Probate; to provide the collection and disposition of a special index fee; and to provide that said system shall constitute official and permanent records in Shelby County.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 958. Relating to Etowah County; to provide for the filing for record and the preservation of all orders and decrees made and entered by any judge of the circuit court.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 971. (With Amendment): To amend Section 3 of Act No. 983, H. 1019, of the 1971 Regular Session (Acts 1971, p. 1759), which further regulates the possession, sale, storage, transportation, use and consumption of alcoholic beverages in Elmore County, so as to provide further for such regulation by deleting the requirement of a certain special retail license for such beverages and to provide that such deletion shall be retroactive to September 7, 1971.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 972. Relating to Elmore County; to amend Section 2 of Act No. 388, H. 979, 1978 Regular Session (Acts 1978, p. 375), relating to compensation of the deputies of the sheriff's department, so as to provide further for such compensation and to provide for retroactive effect.

H. 973. Relating to Elmore County; to provide for the election of members of the county commission, to define new districts and to repeal certain conflicting law.

H. 974. Relating to Elmore County; providing further for the compensation, payable from the county treasury, for members of the county commission and an effective date therefor; specifically repealing Act No. 1779, H. 1732 of the 1971 Regular Session (Acts 1971, p. 2942) and Section 2 of Act No. 235, H. 945 of the 1975 Regular Session (Acts 1975, p. 761), relating to salary and expense allowances for members of the commission, and all laws conflicting herewith.

H. 975. Relating to Elmore County; providing further for the compensation of the members of the board of registrars and to provide for retroactive effect.

H. 976. Relating to Elmore County; to authorize the county commission to pay a mileage allowance to the license inspector not to exceed the allowance paid other county employees, retroactively effective to January 1, 1978.

H. 977. Relating to Marshall County; to further regulate the appropriation and distribution of Tennessee Valley Authority funds paid in-lieu-of-taxes; making certain provisions retroactive to April 1, 1984; and specifically providing that the provisions of this act shall be cumulative.

H. 979. Relating to Colbert County; providing further for the redemption of real property and lands subject to delinquent tax sales, pursuant to Title 40, Chapter 10, Code of Alabama 1975, so as to transfer to and authorize the county tax collector to perform and have the responsibilities and powers therein prescribed for the county treasurer.

H. 981. Relating to Baldwin County and the term of office for county commissioners; and repealing conflicting laws.

H. 982. Relating to Houston County; amending Act No. 718, H. 1513, 1971 Regular Session, which provides for the compensation of the board of equalization, so as to provide further for said compensation.

H. 984. Relating to the election of County Commissioners in Conecuh County; to provide for the redistricting and reapportionment of the electors in Conecuh County; to provide for dividing Conecuh County into four (4) single-member Commissioner's Districts in 1984, and into five (5) single-member Commissioner's Districts beginning in 1988; to provide for the election of a Commissioner in each of said districts; to provide for the tenure of office of the Commissioners; to provide the compensation of the Commissioners so elected; to provide for the division and assignment of the voters in all the Precincts and Voting Boxes in the county; to provide methods and procedures for effecting the assignment of the voters; to provide for the repeal of Act No. 2284 Regular Session of the 1971 Legislature and other laws inconsistent herewith; to provide for the payment of all expenses in connection with passage of this legislation and the assignment of voters in the proper Precincts and Voting Boxes in the county; and to provide that the provisions of this Act shall become effective immediately upon its passage.

H. 985. To amend the title and Section 1 of Act No. 384, H. 829, Regular Session 1953 (Acts 1953, p. 455), which prohibits two members of the board of education of Conecuh County from residing in the same beat or precinct, so as to provide for two at-large appointed seats on the board for two years only, from 1984 to 1986, and to provide for the election of all school board members from five single-member districts beginning in 1986, with their terms running concurrently.

Rep. Horn, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 788. Relating to the City of Birmingham in Jefferson County; to further amend Section 4.06(9) of Act No. 452, of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, pp. 1004, et seq.), as amended, also known as the Mayor-Council Act of 1955, so as to provide, in



addition to staff otherwise provided by law, for such staff members as the Mayor may deem necessary not subject to any merit system, to provide that the salaries of such staff assistants shall be determined by the Mayor, and to prohibit members of the Mayor's Staff from running for elected office while serving on said staff.

S. 239. Relating to Jefferson County; providing for an expense allowance for the Assistant Tax Collector payable from the County General Fund and for an expiration date.

S. 237. Relating to Jefferson County; providing for an expense allowance for the Assistant Tax Assessor payable from the County General Fund and for an expiration date.

S. 236. Relating to Jefferson County; providing for the salary of the Assistant Tax Assessor payable from the County General Fund.

S. 234. Relating to Jefferson County; providing for the salary of the Assistant Tax Collector payable from the County General Fund.

#### REPORT OF THE STANDING COMMITTEE ON RULES

Rep. Clark (J), Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolution and ordered same returned to the House with a favorable report, with substitute:

S. J. R. 214. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE TO STUDY HAZARDOUS WASTE DISPOSAL SITES.

Said substitute being as follows:

CHANGING THE COMPOSITION OF THE SELECT JOINT NUCLEAR ENERGY ACTIVITIES AND HAZARDOUS CHEMICAL TOXIC WASTE OVERSIGHT COMMITTEE BY ADDING TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES TO BE APPOINTED BY THE SPEAKER AND THREE MEMBERS OF THE SENATE TO BE APPOINTED BY THE LIEUTENANT GOVERNOR.

WHEREAS, the continuing Select Joint Nuclear Energy Activities and Hazardous Chemical Toxic Waste Oversight Committee was created by Act No. 81-307 to oversee all facets of nuclear energy activities and hazardous waste with particular emphasis focused on low-level radioactive waste and hazardous chemical toxic waste disposal; and

WHEREAS, recent attention placed on hazardous waste disposal in the State of Alabama has highlighted the need for a more intensive and thorough investigation of the problems of nuclear and hazardous chemical toxic waste disposal; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the continued Select Joint Nuclear Energy Activities and Hazardous Chemical Toxic Waste Oversight Committee is enlarged in its membership to provide for two (2) additional members to be appointed from the House of Representatives to be appointed by the Speaker of the House of Representatives and three (3) additional members to be appointed from the Senate to be appointed by the Lieutenant Governor. A chairman and vice chairman of the committee shall be elected at the first meeting of the committee held in 1984, which shall be held no later than May 22, 1984.

Upon the request of the Chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work.

Each member of the committee shall be entitled to his/her regular legislative compensation, his/her per diem and travel expenses for each day he/she attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the Legislature; provided, however, that members shall not receive additional legislative compensation or per diem when the Legislature is in session but they shall receive their travel expenses when travelling upon the business of the committee.

This committee is charged with the responsibility of investigating all aspects of hazardous waste disposal in the State of Alabama. They are further charged with the responsibility of comparing these facilities with other like facilities throughout the country. The committee should seek expert testimony as it relates to hazardous waste disposal throughout the state and the nation. They should further determine whether fees and charges imposed on said facilities are reasonable and should make any recommendations that they deem appropriate for the health and safety for our citizens to the entire Legislature of Alabama.

#### MOTION TO TABLE LOST

The motion offered by Rep. Carothers to table the substitute reported by the Standing Committee on Rules to the resolution, S. J. R. 214, was lost.

Yeas 22; Nays 56.

*Yeas:*

Reps.: Bachus, Beers, Biddle, Brakefield, Butler, Carothers, Carter, Faulk, Flowers, Grouby, Hall, Hammett, Johnson (R.G.), McMillan, McNair, Penry, Seibels, Starkey, Turnham, Warren, White (G) and White (L).

—22

*Nays:*

Mr. Speaker, Black, Blake, Boles, Bowling, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Escott, Gaston, Goodwin, Gray, Grayson, Harper, Holley, Holmes, Hooper, Horn, Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, McDowell, Martin, Mathis, Melton, Mitchell, Moore, Newman, Parker, Penry, Perdue, Poole, Rains, Reed, Richardson, Smith, Spratt, Starr, Trammell, Turner, Venable and Zoghby.

—56

The question was then on the adoption of the substitute reported by the Standing Committee on Rules to the resolution, S. J. R. 214, and on motion of Rep. Johnson (Roy), the substitute was adopted.

AMENDMENT OFFERED

Rep. Adams offered the following amendment to the resolution, S. J. R. 214 as amended:

Page 2 Line 12 after the period, remove the period and add the following:

The total expenditure shall not exceed \$35,000 dollars.

AMENDMENT ADOPTED

On motion of Rep. Johnson (Roy), the amendment was adopted.

RESOLUTION ADOPTED

On motion of Rep. Johnson (Roy), the resolution, S. J. R. 214 as amended, was adopted.

Yeas 71; Nays 8.

*Yeas:*

Mr. Speaker, Adams, Beers, Blake, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Gaston, Goodwin, Gray, Grayson, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, McDowell, McMillan, Martin, Melton, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Rains, Richardson, Rogers, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (G) and Zoghby.

—71

*Nays:*

Reps.: Carothers, Flowers, Hammett, Harvey, McNair, Mathis, Payne and Turnham.

—8

INTRODUCTION OF BILLS

Upon a call of Districts, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Representative Dutton:

H. 988. To prohibit absentee ownership of large tracts of agricultural lands in this state by certain aliens and corporations with certain exceptions; to prescribe comprehensive procedures and restrictions relating to enforcement of such prohibition and to prescribe penalties for violations.

Committee on State Administration.

RESOLUTIONS

The following resolutions were introduced and distributed according to Joint Rule 11:

By Rep. Blake:

H. R. 344. HONORING MR. AND MRS. W. E. G. SUTTON OF SPRINGVILLE, ALABAMA.

Also:

By Rep. White (F):

H. R. 345. CONGRATULATING MR. R. W. DRURY OF MOBILE, ALABAMA, ON THE OCCASION OF HIS 100th BIRTHDAY.

Also:

By Rep. White (F):

H. R. 346. COMMENDING ABERNETHY MEMORIAL HOSPITAL.

Also:

The following resolutions were introduced:

By Rep. Butler:

H. J. R. 347. COMMENDING MR. WILLIAM F. DAVOREN FOR OUTSTANDING PROFESSIONAL ACCOMPLISHMENT AND SERVICE TO THE HUNTSVILLE COMMUNITY.

WHEREAS, Mr. William F. Davoren of Huntsville, Alabama, is a prominent pharmacist, businessman and civic leader who has contributed significantly in numerous areas of community concern; and

WHEREAS, the former president of the Alabama Pharmaceutical Association, Mr. Davoren is a Massachusetts native and graduate of the Massachusetts College of Pharmacy, Class of 1935; he has continuously practiced since that time with the exception of five years distinguished military service during World War II; and

WHEREAS, Mr. Davoren has been a resident of Huntsville since 1946 and his marriage to the former Miss Brownie Anne Holmberg of that city; and

WHEREAS, he has been professionally honored by such distinctions as the Bowl of Hygieia for outstanding service and through election of his peers to numerous offices of the Alabama Pharmaceutical Association, on local and district levels, prior to the State Presidency; he further has attended numerous conventions of APA and NARD and was an official delegate to the NARD convention during his term as APA president; and

WHEREAS, Mr. Davoren also has long been involved in service to his community as a member and/or officer in such organizations as the United Givers Fund, American Red Cross, Association of the U. S. Army, Knights of Columbus, PTA, Madison County Mental Health Association, American Legion and the Catholic Church; he further has served as a member of the State Board of Pharmacy and the Huntsville Hospital Board of Control; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we herein express highest commendation of Mr. William F. Davoren, prominent Huntsville, Alabama Pharmacist, businessman and civic leader.

BE IT FURTHER RESOLVED, That in token of our esteem, a copy of this resolution shall be forwarded to Mr. Davoren.

On motion of Rep. Butler, the rules were suspended and the resolution, H. J. R. 347, was adopted.

Also:

By Reps. Cosby and White (L):

H. J. R. 348. CREATING AN INTERIM COMMITTEE TO STUDY INSURANCE LAWS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim committee to study all aspects of insurance laws, including but not limited to mandatory liability insurance. Such committee shall be composed of three members of the House of Representatives, to be appointed by the Speaker of the House, and three members of the Senate, to be appointed by the President of the Senate. The chairman of the committee shall be chosen by the members.

The members of the committee shall be entitled to their regular pay and per diem expenses, including mileage, for each day in which they are engaged in committee work. Such pay and expenses shall be paid out of any available funds appropriated for use of the legislature. Provided, that the total expenditures of the committee shall not exceed \$10,000.00

The committee shall report its findings, recommendations and suggested legislation to the legislature by the fifth legislative day of the 1985 Regular Session.

#### MOTION TO SUSPEND RULES AND ADOPT

Rep. Cosby offered the motion to suspend the rules and adopt the resolution, H. J. R. 348.

#### DIVISION OF THE QUESTION

Rep. Turner called for the Division of the Question and the call was sustained.

#### MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Rep. Cosby to suspend the rules in order to take up for immediate consideration of the resolution, H. J. R. 348, and the motion was lost, lacking a four-fifths vote.

Yeas 61; Nays 16.

Yeas:

Mr. Speaker, Bachus, Beers, Black, Bowling, Box, Brakefield, Britnell, Browder, Bryant, Burke, Buskey (James), Buskey (John), Campbell, Clark (D), Clark (W), Cosby, Crow, Davis, Escott, Faulk, Flowers, Gaston, Goodwin, Grayson, Grouby, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Melton, Mikell, Mitchell, Moore, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Rains, Rice, Richardson, Sasser, Seibels, Spratt, Starr, Thomas, Turnham, Warren, White (F) and White (L).

—61

Nays:

Reps.: Adams, Albright, Blakeney, Boles, Brooks, Butler, Clark (J), Gray, Hall, Harvey, McNair, Payne, Smith, Trammell, Turner and White (G).

—16

And the resolution, H. J. R. 348, was read and referred to the Standing Committee on Rules.

### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 81. To amend Chapter 7 of Title 32 of the Code of Alabama 1975 commonly known as the Motor Vehicle Safety-Responsibility Act by amending Sections 32-7-5, 32-7-6, 32-7-16 and 32-7-23 thereof so as to increase the amount of property damage which must be sustained to require an accident report to be filed and to provide what the term "uninsured motor vehicle" shall include under the uninsured motorist coverage section of the Motor Vehicle Safety-Responsibility Act, increases the amount of payment on judgments necessary to satisfy the requirements of the Motor Vehicle Safety-Responsibility Act, and to increase the minimum amount of liability required under a motor vehicle liability policy under the Motor Vehicle Safety-Responsibility Act.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

### SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

### RESOLUTIONS

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Turner and Kennedy and Box:

H. R. 349. MOURNING THE DEATH OF WILLIAM THOMAS WILSON, III.

Also:

The following resolutions were introduced:

By Reps. Mathis and Carothers:

H. J. R. 350. CONGRATULATING FLOWERS HOSPITAL ON BECOMING ACCREDITED BY JCAH.

WHEREAS, the Joint Commission on Accreditation of Hospitals, a private, non-profit organization, which was created by and composed of health care professionals surveyed Flowers Hospital; and

WHEREAS, the Joint Commission on Accreditation of Hospitals, which is governed by representatives of the American College of Surgeons, the American College of Physicians, the American Dental Association, the American Hospital Association and the American Medical Association; and

WHEREAS, the Joint Commission on Accreditation of Hospitals promotes quality health care through establishing high standards, conducting on-site surveys of facilities and awarding accreditation to facilities that meet these demanding standards; and

WHEREAS, these standards are described as "optimal achievable" because they reflect the best of current thinking in the field because the standards are revised periodically and are developed to keep the quality of care consistent with current knowledge, techniques and government regulations; and

WHEREAS, a Joint Committee on Accreditation of Hospitals survey team that may include a physician, nurse, hospital administrator, and laboratory technologist visited and evaluated the performance of Flowers Hospital in twenty-four different areas.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we herein congratulate Flowers Hospital on becoming accredited in 1984 by the Joint Commission on Accreditation of Hospitals and providing the optimal standard of care for the citizens of Alabama.

On motion of Rep. Mathis, the rules were suspended and the resolution, H. J. R. 350, was adopted.

Also:

By Reps. Nicholson and Brakefield:

H. J. R. 351. CONGRATULATING WALKER REGIONAL MEDICAL CENTER, INC. ON BECOMING ACCREDITED.

WHEREAS, the Joint Commission on Accreditation of Hospitals, a private, non-profit organization, which was created by and composed of health care professionals surveyed Walker Regional Medical Center Inc.; and

WHEREAS, the Joint Commission on Accreditation of Hospitals, which is governed by representatives of the American College of Surgeons, the American College of Physicians, the American Dental Association, the American Hospital Association and the American Medical Association; and

WHEREAS, the Joint Commission on Accreditation of Hospitals promotes quality health care through establishing high standards, conducting on-site surveys of facilities and awarding accreditation to facilities that meet these demanding standards; and

WHEREAS, these standards are described as "optimal achievable" because they reflect the best of current thinking in the field because the standards are revised periodically and are developed to keep the quality of care consistent with current knowledge, techniques and government regulations; and

WHEREAS, a Joint Committee on Accreditation of Hospitals survey team that may include a physician, nurse, hospital administrator, and laboratory technologist visited and evaluated the performance of Walker Regional Medical Center, Inc. in twenty four different areas, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby congratulate Walker Regional Medical Center, Inc. on becoming accredited in 1983 by the Joint Commission on Accreditation of Hospitals and providing the optimal standard of care for the citizens of Alabama.

On motion of Rep. Nicholson, the rules were suspended and the resolution, H. J. R. 351, was adopted.

Also:

By Rep. Beers:

H. J. R. 352. COMMENDING MISS GINGER MARIE HILL OF VESTAVIA HILLS, MISS ALABAMA NATIONAL TEEN-AGER FOR 1984.

WHEREAS, in highest commendation, the Legislature of Alabama extends heartiest congratulations to Miss Ginger Marie Hill of Vestavia Hills, Alabama, as Miss Alabama National Teen-ager for 1984; and

WHEREAS, the lovely Miss Hill, who is the daughter of Mr. and Mrs. Tommy E. Hill, is a 15 year old sophomore at Vestavia Hills High School where she is a straight "A" honor student and a member of her school's tennis team; and

WHEREAS, our 1984 Miss Alabama National Teen-ager is a member of Shades Mountain Baptist Church and is a member also of the church choir; and

WHEREAS, Ginger Marie is not only to be congratulated on her outstanding accomplishment as Miss Alabama National Teen-ager, but for extraordinary academic achievement as well, and for her participation in school, church and community activities; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we herein most highly praise and commend Miss Ginger Marie Hill of Vestavia Hills High School; we further express inordinate pride in her representation of our state as the 1984 Miss Alabama National Teen-ager.

BE IT FURTHER RESOLVED, That in token of our regard and in expression of our sincere wish for every success in the forthcoming national competition and future life, a copy of this resolution shall be forwarded to Miss Hill.

On motion of Rep. Beer, the rules were suspended and the resolution, H. J. R. 352, was adopted.

Also:

By Rep. Beers:

H. J. R. 353. COMMENDING DR. J. MAURICE PERSALL, VESTAVIA HILLS, ON BEING SELECTED AS PTA SUPERINTENDENT OF THE YEAR 1983-1984.

WHEREAS, Dr. J. Maurice Persall, Superintendent of Vestavia Hills Schools, was recognized as outstanding state educator by the Alabama Congress of Parents and Teachers at their annual meeting April 27-29, 1984; and

WHEREAS, Dr. J. Maurice Persall was selected by the Congress as PTA Superintendent of the Year for 1983-84 and was nominated therefor by the Vestavia Hills PTA Council for his accessibility to parents, teachers and students alike, his innovative response to educational problems and sensibility to the needs of the special students; and

WHEREAS, Dr. J. Maurice Persall, a native of Cullman County, gradu-



ated from Cullman High School, St. Bernard College, received his master's degree in education from the University of Alabama and earned his doctorate in education from Auburn University; and

WHEREAS, Dr. J. Maurice Persall has been a dedicated educator for almost 20 years, serving as junior high school teacher in Cullman County, assistant principal and principal in the Huntsville schools and five years as superintendent of both the Arab city school system and the Vestavia Hills system; and

WHEREAS, by his dedication, intelligent leadership, and administrative acumen, Dr. J. Maurice Persall has won the respect and admiration of educators throughout the state; and

WHEREAS, Dr. J. Maurice Persall was selected "Outstanding Young Educator" by the Huntsville Jaycees, is president-elect of the Alabama Association of School Administrators, a member of the State Association of Supervision and Curriculum Development and is a member of the Phi Delta Kappa National Educational Honor Society and numerous civic and charitable organizations; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do heartily commend J. Maurice Persall for his dedicated service and many outstanding contributions to the field of education and the enrichment of our state, and we do send him a copy of this resolution so that he may know of our esteem.

On motion of Rep. Beers, the rules were suspended and the resolution, H. J. R. 353, was adopted.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Reps. Brakefield and Nicholson:

H. R. 354. MOURNING THE DEATH OF DR. GAINES W. KEITH OF CARBON HILL, ALABAMA.

Also:

The following resolutions were introduced:

By Reps. Burke, Drake, Rains, Lindsey, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

H. J. R. 355. MOURNING THE DEATH OF MRS. VERA ISBELL BECK OF FORT PAYNE, ALABAMA.

WHEREAS, it is with deep sadness and regret that the Legislature of Alabama records the death of Mrs. Vera Isbell Beck of Fort Payne, Alabama, on May 6, 1984; and

WHEREAS, Mrs. Beck, who was a native of Fort Payne, was educated in the public schools of that city, at Judson College and Auburn University, and was a former teacher of home economics in the Alexandria and Collinsville school systems; and

WHEREAS, Mrs. Beck was the wife of Mr. William Morris Beck who served as Speaker of the Alabama House of Representatives from 1947 to 1951; she also is survived by two sons, former State Representative William Morris Beck, Junior, and Robert D. Beck, and a daughter, Mrs. Frances Beck Jagoe; and

WHEREAS, the death of Mrs. Vera Beck has indeed left a deep void in the Fort Payne community where she served for many years in dedicated civic responsibility; and

WHEREAS, Mrs. Beck was a member of First Baptist Church of Fort Payne where she was a Sunday School teacher for 30 years and, during the years of World War II, was active as a Red Cross Volunteer Worker; and

WHEREAS, she further was a charter member of DeKalb Landmarks, a former Rotary Rose, and the Beck Home in Fort Payne was selected as Home of the Year by the Women's Christian Temperance Union; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we grievously mourn the death of Mrs. Vera Isbell Beck and direct that copies of this resolution be forwarded to her husband and children that they may know of our deeply shared sorrow in their great and grievous loss.

On motion of Rep. Burke, the rules were suspended and the resolution, H. J. R. 355, was adopted.

Also:

By Rep. Grouby:

H. J. R. 356. COMMENDING THE AUTAUGA COUNTY GENERALS, CLASS 2A FOOTBALL CHAMPIONS, ALABAMA PRIVATE SCHOOL ASSOCIATION.

WHEREAS, the Alabama Legislature most highly commends and congratulates the Autauga County Generals, 1983 Class 2A Football Champions of the Alabama Private School Association; and

WHEREAS, the State Crown, which was the Academy's second APSA Class 2A Title, was the result of the Generals' 14-8 victory over Patrician Academy in the play-off finals; and

WHEREAS, the Generals' brilliant season and the '83 championship were achieved under Head Coach James Carter and Assistant Coaches David Golson, Bill Caver and Gerry Miller; and

WHEREAS, the Autauga Academy Cheerleaders are: Alisa Billingsley, Laurie Cantu, Kim Goodson, Angie Deason, Lisa Jordan, Teresa Harrison, Barton Tatum and Nicole Towns; sponsors are Cindi Turnipseed and Pam Hunter, and Kim Hand is mascot; and

WHEREAS, contributing to the Championship, both individually and

in team effort, were Generals: Richard Chandler, Paul Johnson, Derek Jones, David Manning, Bill O'Dell, Dean Phelps, Ray Price, Brian Strength, Richard Rainwater, Reed Wainwright, Keith Wallace, Clifton Clark, Scotty Ferguson, Rusty Harris, Mark McLendon, Christian Jaburg, Tommy Bates, Todd Bert, Shane Brown, Richard Lively, Rob Shackelford, Jeff McAfee, Paul Middlebrooks, Neal Harrison and Walter Middlebrooks; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That we herein most highly commend and congratulate the APSA Class 2A Football State Champions for 1983, the Autauga Academy Generals.

**BE IT FURTHER RESOLVED,** That a copy of this resolution be sent to Coach James Carter, on behalf of his staff and the entire team, with a copy also provided for appropriate school display.

On motion of Rep. Grouby, the rules were suspended and the resolution, H. J. R. 356, was adopted.

Also:

By Reps. Payne and Seibels:

**H. J. R. 357. COMMENDING KEITH D. BLAYNEY, Ph.D., DEAN OF THE SCHOOL OF COMMUNITY AND ALLIED HEALTH AT THE UNIVERSITY OF ALABAMA IN BIRMINGHAM.**

**WHEREAS,** since 1969, the School of Community and Allied Health at UAB has been instrumental in training allied health workers for the needs of the citizens of the State of Alabama and the nation under the direction of Dr. Keith D. Blayney; and

**WHEREAS,** since 1983, Dr. Blayney has been working in cooperation with Project HOPE to share this educational knowledge with nations such as Jamaica, Saudi Arabia, and the People's Republic of China; and

**WHEREAS,** the skills of Dr. Blayney and his faculty from the School of Community and Allied Health and from the UAB Medical Center have contributed greatly to the betterment of health care delivery and, consequently, to the quality of life for citizens of these nations; and

**WHEREAS,** an audio-visual presentation describing the School of Community and Allied Health's Junior College/Regional Technical Institute Linkage program will be featured at a meeting of the World Health Assembly of the World Health Organization in Geneva, Switzerland, in May 1984, as part of the discussions on the Role of Universities in World Health Organization Strategies for Health for All by the Year 2000; and

**WHEREAS,** through the leadership of Dr. Blayney, the School of Community and Allied Health is gaining an international reputation for training allied health workers which reflects positively on UAB and the State of Alabama; now therefore,

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That we hereby honor the University of Alabama in Birmingham's School of Community and Allied Health and its Dean, Dr. Keith D. Blayney, for bringing this international recognition to the Institution and the state in the area of allied health education.

**BE IT FURTHER RESOLVED,** That a copy of this resolution be pro-

vided for the School of Community and Allied Health at the University of Alabama in Birmingham.

On motion of Rep. Payne, the rules were suspended and the resolution, H. J. R. 357, was adopted.

Also:

By Rep. Johnson (Roy):

H. R. 358. BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That when we adjourn today, Tuesday, May 8, 1984, we adjourn to meet again on Wednesday, May 9, 1984, at 12:00 noon.

On motion of Rep. Johnson (Roy), the rules were suspended and the resolution, H. R. 358, was adopted.

Also:

By Rep. Kvalheim:

H. J. R. 359. CREATING A JOINT INTERIM LEGISLATIVE COMMITTEE TO STUDY CAPITOL SECURITY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby established a joint interim legislative committee to study all aspects of security in and around the Capitol Complex. Said committee shall be composed of three members of the Senate, appointed by the presiding officer and three members of the House of Representatives, appointed by the Speaker. The chairman and vice chairman of the committee shall be elected at the first meeting by the members of the committee.

BE IT FURTHER RESOLVED, That upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work.

On motion of Rep. Kvalheim, the rules were suspended and the resolution, H. J. R. 359, was adopted.

Also:

By Reps. Kennedy, Melton, Buskey (James), Bryant, Buskey (John), Reed, Grayson, Escott, Black, McNair, Perdue, Davis, Rogers, Horn, Spratt, McDowell, Clark (W), Thomas and Holmes:

H. J. R. 360. COMMENDING MISS CHRISTELLA MOORER FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.

WHEREAS, the Alabama Legislature, in commendation and gratitude, herein extends highest recognition of outstanding service rendered by Miss Christella Moorer, who has served as secretary for the Alabama Legislative Black Caucus; and

WHEREAS, in association with the caucus during the 1983-84 Regular Sessions, Miss Moorer was charged with numerous secretarial duties such as typist, telephone receptionist, file clerk and general office worker; and

WHEREAS, the daughter of Mrs. Mary Caldwell Moorer of Montgomery, Miss Moorer's future plans are to finish her education in Business Administration; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH

HOUSES THEREOF CONCURRING, That we herein express highest commendation of Miss Christella Moorer and express our deep appreciation, as well, for her assistance to the Alabama Legislative Black Caucus.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Miss Moorer that she may know of our sincere regard and warm best wishes for her every future success.

On motion of Rep. Kennedy, the rules were suspended and the resolution, H. J. R. 360, was adopted.

Also:

By Reps. Kennedy, Melton, Buskey (James), Bryant, Buskey (John), Reed, Grayson, Escott, Black, Rogers, McNair, Perdue, Davis, Horn, Spratt, McDowell, Clark (W), Thomas and Holmes:

H. J. R. 361. COMMENDING MISS OLIVIA TURNER FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.

WHEREAS, the Alabama Legislature, in commendation and gratitude, herein extends highest recognition of outstanding service rendered by Miss Olivia Turner who, as an intern with the Southern Legislative Research Council, worked closely with the Alabama Legislative Black Caucus; and

WHEREAS, in association with the caucus during the 1984 Regular Session, Miss Turner was charged with responsibilities to monitor committees and floor deliberations; to review legislative proposals of state governmental departments; review first readings and develop analyses of pending legislation, or proposals, in specified issue areas; and to assist in the preparation of a weekly Legislative bulletin; and

WHEREAS, following completion of her internship, Miss Turner, who is the daughter of Mrs. Edith Turner of Montgomery, plans to pursue a career in the area of Criminal Justice Reform; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we herein express highest commendation of Miss Olivia Turner and express our deep appreciation, as well, for her assistance to the Alabama Legislative Black Caucus.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Miss Turner that she may know of our sincere regard and warm best wishes for her every future success.

On motion of Rep. Kennedy, the rules were suspended and the resolution, H. J. R. 361, was adopted.

Also:

By Reps. Kennedy, Melton, Buskey (James), Bryant, Buskey (John), Reed, Grayson, Perdue, Black, McNair, Davis, Rogers, Horn, Spratt, McDowell, Escott, Clark (W), Thomas and Holmes:

H. J. R. 362. COMMENDING MR. NORBERT HERSHAEL WILLIAMS FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.

WHEREAS, the Alabama Legislature, in commendation and gratitude, herein extends highest recognition of outstanding service rendered by Mr. Norbert Hershael Williams who, as an intern with the Southern Legislative

Research Council, worked closely with the Alabama Legislative Black Caucus; and

WHEREAS, in association with the caucus during the 1984 Regular Session, Mr. Williams was charged with responsibilities to monitor committees and floor deliberations; to review legislative proposals of state governmental departments; review first readings and develop analyses of pending legislation, or proposals, in specified issue areas; and to assist in the preparation of a weekly Legislative Bulletin; and

WHEREAS, following completion of his internship, Mr. Williams, who is the son of Mr. W. J. Williams of Montgomery, plans to attend Law School; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we herein express highest commendation of Mr. Norbert Hershael Williams and express our deep appreciation, as well, for his assistance to the Alabama Legislative Black Caucus.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. Williams that he may know of our sincere regard and warm best wishes for his every future success.

On motion of Rep. Kennedy, the rules were suspended and the resolution, H. J. R. 362, was adopted.

Also:

By Reps. Kennedy, Melton, Buskey (James), Bryant, Buskey (John), Reed, Grayson, Perdue, Escott, McNair, Davis, Rogers, Horn, Spratt, McDowell, Clark (W), Black, Thomas and Holmes:

H. J. R. 363. COMMENDING MISS ANNE MARIA SCOTT FOR OUTSTANDING SERVICE TO THE ALABAMA LEGISLATIVE BLACK CAUCUS.

WHEREAS, the Alabama Legislature, in commendation and gratitude, herein extends highest recognition of outstanding service rendered by Miss Anne Maria Scott who, as an intern with the Southern Legislative Research Council, worked closely with the Alabama Legislative Black Caucus; and

WHEREAS, in association with the caucus during the 1984 Regular Session, Miss Scott was charged with responsibilities to monitor committees and floor deliberations; to review legislative proposals of state governmental departments; review first readings and develop analyses of pending legislation, or proposals, in specified issue areas; and to assist in the preparation of a weekly Legislative Bulletin; and

WHEREAS, following completion of her internship, Miss Scott, who is the daughter of Charles and Minnie K. Scott of Montgomery, plans to continue pursuit of her educational studies; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we herein express highest commendation of Miss Anne Maria Scott and express our deep appreciation, as well, for her assistance to the Alabama Legislative Black Caucus.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Miss Scott that she may know of our sincere regard and warm best wishes for her every future success.

On motion of Rep. Kennedy, the rules were suspended and the resolution, H. J. R. 363, was adopted.

### BILLS ON THIRD READING

And the bill:

H. 801. To amend Section 1 of Act No. 708, H. 1078, Regular Session 1978, (Acts 1978, p. 1021) entitles, "An Act To authorize and provide for the establishment, maintenance, equipping, operation and financing of a public law library in Hale County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county," so as to increase the law library fees taxed as items of court costs.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 42; Nays 0.

*Yeas:*

Mr. Speaker, Blakeney, Box, Brooks, Browder, Bryant, Buskey (John), Butler, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Dutton, Escott, Gaston, Goodwin, Grouby, Harper, Harvey, Hettinger, Hooper, Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, Marietta, Martin, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Poole, Rains, Sasser, Smith, Turner, White (F) and Zoghby.

—42

### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 870. Relating to Mobile County; providing that retired employees of the county health department shall be granted certain cost of living pension increases whenever retired state employees are granted such pension increases.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 45; Nays 0.

*Yeas:*

Mr. Speaker, Blakeney, Bowling, Box, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Butler, Campbell, Clark (D), Clark (J), Clark (W), Coburn, Crow, Escott, Gaston, Goodwin, Hettinger, Hooper, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, Marietta, Martin, Mitchell, Newman, Nicholson, Onderdonk, Parker, Poole, Rains, Sasser, Smith, Starkey, Starr, Trammell, Turner, White (F), White (G) and Zoghby.

—45

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 251. To alter, rearrange and add to the limits of the City of Satsuma in Mobile County, Alabama, and to describe the area so added to the City of Satsuma.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 44; Nays 0.

*Yeas:*

Mr. Speaker, Beers, Blakeney, Bowling, Britnell, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Butler, Clark (D), Clark (J), Clark (W), Crow, Gaston, Goodwin, Grayson, Harvey, Hettinger, Hooper, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Poole, Rains, Starkey, Starr, Turner, White (G) and Zoghby.

—44

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 547. To amend Section 1 of Act No. 319, H. 593, of the 1976 Regular Session (Acts 1976, p. 353), which provided for a mosquito, rodent and other vector control ad valorem tax in Mobile County, so as to provide further for certain exemptions from such tax.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 42; Nays 0.

*Yeas:*

Mr. Speaker, Blakeney, Box, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (J), Clark (W), Crow, Gaston, Gray, Hammett, Harper, Harvey, Hettinger, Junkins, Kennedy, Kvalheim, Lindsey, McMillan, Marietta, Martin, Newman, Nicholson, Parker, Payne, Penry, Poole, Seibels, Starkey, Starr, Turner, Turnham, Venable, White (F), White (G) and Zoghby.

—42

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.



And the bill:

H. 835. Relating to Mobile County; providing that any political subdivision or agency of such subdivision within the county shall solicit competitive bids when leasing any warehouse, storage, shop, office space or land from or to any individual, association, corporation, partnership or other business entity and prescribing certain bid procedures.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 49; Nays 0.

*Yeas:*

Mr. Speaker, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (W), Coleman, Gaston, Goodwin, Gray, Grayson, Hammett, Harvey, Hettinger, Holmes, Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Mikell, Newman, Nicholson, Parker, Payne, Rains, Rice, Starkey, Starr, Trammell, Turner, Turnham, Venable, White (F), White (G) and Zoghby.

—49

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 914. Relating to Mobile County; establishing the Mobile County Highway and Traffic Safety Advisory Board and describing its composition, authority and duties; establishing the Mobile County Department of Highway and Traffic Safety and describing its authority, personnel and duties; and providing for use by said advisory board of a portion of certain monies distributed for law enforcement purposes under the provisions of Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 et seq.), as amended, providing for a County Racing Commission in all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 43; Nays 0.

*Yeas:*

Mr. Speaker, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (John), Butler, Carter, Clark (D), Clark (W), Coleman, Gaston, Goodwin, Grayson, Hammett, Harvey, Hettinger, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Newman, Nicholson, Parker, Payne, Poole, Reed, Seibels, Starkey, Starr, Turner, Turnham, Venable, White (F), White (G) and Zoghby.

—43

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 916. Relating to Mobile County; providing further for the use of a certain portion of monies accruing to Mobile County pursuant to Act No. 84-186, H. 182, 1984 Regular Session, (Acts 1984, p. —), relating to license taxes and registration fees on trucks and truck tractors.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 44; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (W), Coleman, Gaston, Goodwin, Hammett, Harper, Harvey, Hettinger, Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, Marietta, Martin, Newman, Nicholson, Parker, Poole, Reed, Seibels, Starkey, Starr, Trammell, Turner, Turnham, Venable, White (F) and Zoghby.

—44

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

## MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Hettinger to suspend the rules in order to take up out of order the bill, H. 865, was lost, lacking a four-fifths vote.

Yeas 5; Nays 2.

*Yeas:* Reps.: Albright, Brooks, Butler, Clark (J) and Hettinger.

—5

*Nays:* Reps.: Grayson and Hall.

—2

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 873. Relating to the City of Tuscaloosa, Tuscaloosa County, to provide for the election of the seven city board of education members, who shall qualify, run, reside in and be elected from districts created herein for such purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 41; Nays 0.

Yeas:

Reps.: Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Clark (W), Coleman, Gaston, Goodwin, Gray, Hammett, Harper, Harvey, Hettinger, Junkins, Kennedy, Lauderdale, Lindsey, McMillan, Marietta, Martin, Melton, Mitchell, Newman, Nicholson, Parker, Poole, Rains, Smith, Starkey, Turnham, Venable, Warren, White (F) and Zoghby.

—41

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 934. Relating to Dale County; redistricting the county for purposes of electing members of the county commission and providing for the election of county commissioners on such district basis.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 51; Nays 0.

Yeas:

Mr. Speaker, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (John), Butler, Carter, Clark (D), Coleman, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Hooper, Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell, Newman, Nicholson, Parker, Poole, Rains, Reed, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Turnham, Venable, Warren, White (F) and Zoghby.

—51

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 941. To provide for the filing for record and the preservation of all orders and decrees made and entered by any Judge of the Circuit Court of the 32nd Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker, Albright, Black, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Gaston, Goodwin, Gray, Grayson, Grouby, Hammett, Harper,

Harvey, Hettinger, Holmes, Junkins, Kennedy, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Mikell, Mitchell, Nicholson, Parker, Payne, Penry, Poole, Rains, Reed, Seibels, Spratt, Starr, Turner, Turnham, Venable, Warren, White (F) and Zoghby.

—52

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 954. Relating to Escambia County; to further amend Section 1 of Act No. 225, H. 204, Special Session of the Legislature 1965 (Acts 1965 Special Session, p. 306), as last amended, relating to the compensation of the members of the board of education of Escambia County, so as to increase said compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 46; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Black, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (W), Gaston, Goodwin, Grouby, Hammett, Harper, Harvey, Hettinger, Junkins, Kennedy, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Newman, Nicholson, Parker, Poole, Rains, Sasser, Smith, Spratt, Starkey, Starr, Turnham, Venable, White (F) and Zoghby.

—46

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 955. Relating to Escambia County; providing that the Chairman of the Escambia County Commission shall serve full time as such officer.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 48; Nays 0.

*Yeas:*

Mr. Speaker, Black, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (W), Gaston, Goodwin, Gray, Grouby, Hammett, Harper, Hettinger, Junkins, Kennedy, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Mikell, Newman, Nicholson, Parker, Poole, Rains, Reed, Sasser, Spratt, Starkey, Starr, Turner, Turnham, Venable, White (F), White (G) and Zoghby.

—48

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 964. To extend, alter and rearrange the boundary lines and corporate limits of the City of Lincoln, Talladega County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 47; Nays 0.

*Yeas:*

Mr. Speaker, Black, Blakeney, Box, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (J), Clark (W), Gaston, Gray, Grouby, Hammett, Harper, Hettinger, Johnson (R.G.), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Mikell, Nicholson, Parker, Poole, Preuitt, Rains, Smith, Spratt, Starr, Thomas, Turnham, Venable, White (F), White (G) and Zoghby.

—47

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 906. (With Amendment): Relating to the Jefferson County Legislative Delegation; establishing a county legislative delegation expense fund to be funded by Section II(b) of Act No. 639, H. 1646, Regular Session 1973 (Acts 1973, p. 946), said act entitled "Relating to counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to provide that in addition to all presently existing pistol permit fees there is hereby levied an additional pistol permit fee in the amount of Two Dollars and Fifty Cents (\$2.50); to provide that Two Dollars of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as the 'Sheriff's Fund'; to provide for the use of said Sheriff's Fund; to provide that Fifty Cents (\$.50) of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and identified as a 'Legislative Fund'; to provide for the use of said Legislative Fund; to provide that the provisions of the Act shall be severable; and to repeal all laws and parts of laws in conflict with this Act"; to abolish the present operation of the Jefferson County Delegation Office, so as to provide for a monthly allocation of the county legislative delegation expense fund on an equal basis to each legislative member of the delegation and to provide an accounting thereof.

Was taken up.

The question was then on the adoption of the amendment reported by

the Standing Committee on Local Legislation No. 2, said committee amendment being as follows:

On page two, line 11, after the word "sum" insert the following:

, not to exceed \$1,000 per annum per legislative member of the said delegation,

And the amendment was adopted.

Yeas 48; Nays 0.

*Yeas:*

Mr. Speaker, Beers, Black, Blakeney, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Carter, Clark (J), Clark (W), Escott, Gaston, Gray, Grouby, Hammett, Harper, Harvey, Hettinger, Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Mikell, Nicholson, Parker, Poole, Rains, Rice, Smith, Spratt, Starr, Thomas, Turner, Turnham, Venable, White (G) and Zoghby.

—48

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 906, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 48; Nays 0.

*Yeas:*

Mr. Speaker, Black, Box, Brakefield, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Carter, Clark (J), Clark (W), Gaston, Gray, Grouby, Hammett, Harper, Harvey, Hettinger, Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Mikell, Nicholson, Parker, Penry, Perdue, Poole, Rains, Reed, Rice, Smith, Spratt, Starr, Thomas, Turner, Turnham, Venable, White (G) and Zoghby.

—48

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 913. Relating to the Mobile County Solid Waste Management Program and the residence, appointment and number of the Solid Waste Management Advisory Board; amending Section III of Act No. 81-450, H. 825, of the 1981 Regular Session (Acts 1981, p. 773) therefor; making the provisions retroactive to any term effective after March 1, 1984.

Was taken up.

AMENDMENT OFFERED

Rep. Harper offered the following amendment to the bill, H. 913:

Amend H. 913, page 1, line 18 by striking ~~March 1~~ and inserting in lieu thereof: May 7

Further amend H. 913, page 3, Section 2, line 7 by striking ~~March 1~~ and inserting in lieu thereof: May 7

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 49; Nays 0.

*Yeas:*

Mr. Speaker, Black, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Dutton, Gaston, Gray, Hammett, Harper, Hettinger, Horn, Junkins, Kennedy, Kvalheim, Lindsey, McMillan, Martin, Mathis, Mikell, Nicholson, Parker, Penry, Poole, Rains, Reed, Rice, Smith, Spratt, Starkey, Starr, Thomas, Turner, Turnham, Venable and Zoghby.

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 913. Relating to the Mobile County Solid Waste Management Program and the residence, appointment and number of the Solid Waste Management Advisory Board; amending Section III of Act No. 81-450, H. 825, of the 1981 Regular Session (Acts 1981, p. 773) therefor; making the provisions retroactive to any term effective after May 7, 1984.

As thus amended, was read a third time at length, passed and ordered engrossed.

Yeas 50; Nays 0.

*Yeas:*

Mr. Speaker, Black, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Carter, Clark (D), Clark (J), Clark (W), Coleman, Davis, Gaston, Hammett, Harper, Hettinger, Holmes, Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Mikell, Nicholson, Parker, Payne, Penry, Perdue, Poole, Rains, Reed, Rice, Smith, Spratt, Starkey, Starr, Thomas, Turnham, Venable, White (F) and Zoghby.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 956. (With Amendment): Relating to Montgomery County; to further provide for the supplemental salary payable from the county to district court judges.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said committee amendment being as follows:

Amend H. 956, page 1, immediately following line 25 by inserting a new section 2 and renumbering remaining sections accordingly. New Section 2 to read as follows:

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

And the amendment was adopted.

Yeas 42; Nays 0.

Yeas:

Mr. Speaker, Box, Britnell, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (J), Clark (W), Coleman, Davis, Grouby, Harper, Hettinger, Holmes, Horn, Kennedy, Kvalheim, Lindsey, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Newman, Nicholson, Rains, Reed, Rogers, Spratt, Starkey, Starr, Thomas, Turner, Turnham, White (G) and Zoghby.

—42

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 956, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 45; Nays 0.

Yeas:

Mr. Speaker, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (J), Clark (W), Davis, Grouby, Hammett, Hettinger, Holmes, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Mikell, Newman, Nicholson, Parker, Penry, Perdue, Rains, Reed, Spratt, Starkey, Starr, Thomas, Turnham, Venable, Warren, White (F) and Zoghby.

—45

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.



And the bill:

H. 806. (With Amendment): Relating to Perry County; divesting the chairmanship of the county commission from the judge of probate; providing for the division of Perry County into five election districts for purposes of electing the county commission; providing for the election of five commissioners by the qualified electors of such districts; providing for the residency requirements and qualifications of the commissioners; providing for the election of the chairperson of the county commission and prescribing the compensation, duties and powers of the commission.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend H. B. 806, page 3, Section 1, line 19, after the number "150" by striking 141 and inserting in lieu thereof the following: 151

And the amendment was adopted.

Yeas 34; Nays 0.

Yeas:

Mr. Speaker, Box, Britnell, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (J), Clark (W), Grouby, Hammett, Hettinger, Kennedy, Kvalheim, Lauderdale, Lindsey, Marietta, Martin, Mathis, Melton, Newman, Nicholson, Parker, Reed, Spratt, Starkey, Thomas, Turnham, Warren and Zoghby.

—34

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 806, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 35; Nays 0.

Yeas:

Mr. Speaker, Beers, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (J), Clark (W), Grouby, Harvey, Hettinger, Holmes, Kennedy, Lauderdale, Lindsey, Martin, Melton, Mikell, Newman, Nicholson, Parker, Perdue, Starkey, Thomas, Turner, Turnham, White (F) and Zoghby.

—35

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 807. Relating to Perry County; dividing the county into certain districts for purposes of electing members of the county board of education; providing for the election of such board members by the qualified electors

of the respective districts; providing for certain residency requirements for such board members and prescribing the compensation of such members.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 39; Nays 0.

*Yeas:*

Mr. Speaker, Beers, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Butler, Carter, Clark (W), Coleman, Davis, Escott, Grouby, Harper, Harvey, Hettinger, Holmes, Kennedy, Lauderdale, Lindsey, Martin, Mathis, Melton, Newman, Nicholson, Parker, Perdue, Reed, Rogers, Spratt, Thomas, Turner, Turnham, White (F) and Zoghby.

—39

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 860. (With Amendment): Relating to Baldwin County; providing for a referendum on the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner; providing for the compensation of such official; repealing conflicting laws; providing for filing by candidates for county revenue commissioner and an election therefor; and providing for its effectiveness.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend H. B. 860, page 2, Section 6, at the beginning of line 31 by striking the following:

~~general funds of the county on warrant of the~~

And the amendment was adopted.

Yeas 53; Nays 0.

*Yeas:*

Mr. Speaker, Beers, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (J), Clark (W), Coleman, Davis, Gaston, Grouby, Hammett, Harper, Harvey, Hettinger, Horn, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Newman, Nicholson, Parker, Penry, Perdue, Poole, Rains, Reed, Spratt, Starr, Thomas, Turner, Turnham, Venable, Warren, White (F), White (G) and Zoghby.

—53

And the bill, H. 860, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 53; Nays 0.

*Yeas:*

Mr. Speaker, Box, Brakefield, Britnell, Brooks, Bryant, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (W), Coleman, Davis, Escott, Gaston, Grouby, Hammett, Harper, Harvey, Hettinger, Holmes, Hooper, Horn, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Newman, Nicholson, Parker, Penry, Perdue, Poole, Rains, Reed, Smith, Spratt, Starr, Thomas, Turner, Turnham, Venable, Warren, White (F), White (G) and Zoghby.

—53

And the bill:

H. 928. Relating to Marion County; prescribing that the offices of the chairman and associate members of the county governing body shall be full time and receive the salary compensation as such full time commissioners as now provided by local law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 47; Nays 0.

*Yeas:*

Mr. Speaker, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (J), Clark (W), Coleman, Gaston, Grouby, Hammett, Harper, Hettinger, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Newman, Nicholson, Parker, Penry, Poole, Rains, Reed, Smith, Spratt, Starkey, Starr, Thomas, Turner, Turnham, Venable, Warren, White (F), White (G) and Zoghby.

—47

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 935. To amend Section 8 of Act No. 83-532, H. 609, Regular Session 1983 (Acts 1983, p. 827), which act levies an additional sales tax in Baldwin County, so as to provide further for the distribution of a certain portion of the proceeds of said tax so as to provide for the leasing or building and operation of a home for juveniles through the juvenile court of Baldwin County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 48; Nays 0.

*Yeas:*

Mr. Speaker, Beers, Black, Blakeney, Box, Brakefield, Britnell, Brooks, Bryant, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (W), Coleman, Davis, Gaston, Grouby, Hammett, Harper, Hettinger,

Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Newman, Nicholson, Parker, Payne, Penry, Poole, Rains, Reed, Smith, Spratt, Starkey, Thomas, Turner, Turnham, Venable, Warren, White (F), White (G) and Zoghby.

—48

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 936. Relating to Baldwin County; amending Act No. 81-99, S. 31, 1981 Regular Session, which provides for the compensation of the members of the board of registrars, so as to increase said compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 48; Nays 0.

*Yeas:*

Mr. Speaker, Black, Blakeney, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (W), Coleman, Gaston, Grouby, Hammett, Harper, Harvey, Hettinger, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Newman, Nicholson, Parker, Penry, Perdue, Poole, Rains, Reed, Spratt, Starkey, Starr, Thomas, Turner, Turnham, Venable, Warren, White (F), White (G) and Zoghby.

—48

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 937. (With Amendment): Relating to Baldwin County; granting to the county commission certain power and authority relative to public improvements in certain areas lying outside the corporate limits of any municipality in such county; providing for the assessment against the property benefited thereby of the cost and expenses of materials used in the performance of services relative to such public improvements if said improvements are approved by  $\frac{2}{3}$  of property owners affected; authorizing, providing for and regulating hearings relative to such assessments and appeals therefrom; providing for the collection of such assessments by the Baldwin County tax collector; investing the Baldwin County Commission with the same powers and authority relative to the collection of improvement assessments and liens therefor had by municipalities relative to municipal improvement assessments; providing that this act is cumulative to other laws relative to the authority, powers and duties of the Baldwin County Commission.

Was taken up.

The question was then on the adoption of the amendment reported by

the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

On page 2, on line 4 after the period insert:

Provided however, any existing or future public improvement as defined herein under the control or authority of any municipality whether the improvement is within or outside the corporate limits of the municipality or any existing or future improvement under the authority or control or any legally constituted public authority shall be exempt from the provisions of this act.

And the amendment was adopted.

Yeas 42; Nays 0.

*Yeas:*

Mr. Speaker, Black, Blakeney, Box, Brakefield, Britnell, Brooks, Bryant, Burke, Buskey (John), Butler, Carter, Clark (D), Coleman, Gaston, Hammett, Harper, Hettinger, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Newman, Nicholson, Parker, Penry, Perdue, Poole, Rains, Seibels, Spratt, Starr, Thomas, Turner, Turnham, Venable, Warren, White (F) and Zoghby.

—42

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 937, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 44; Nays 0.

*Yeas:*

Mr. Speaker, Black, Blakeney, Box, Brakefield, Britnell, Brooks, Bryant, Burke, Buskey (John), Butler, Carter, Clark (D), Coleman, Gaston, Hammett, Harper, Hettinger, Holmes, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Newman, Nicholson, Parker, Penry, Perdue, Poole, Rains, Seibels, Smith, Spratt, Starr, Thomas, Turner, Turnham, Venable, Warren, White (F) and Zoghby.

—44

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 953. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Valley Head in DeKalb County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 44; Nays 0.

*Yeas:*

Mr. Speaker, Blakeney, Box, Brakefield, Britnell, Brooks, Bryant, Burke, Buskey (James), Buskey (John), Clark (D), Clark (W), Coleman, Gaston, Grouby, Hammett, Harper, Hettinger, Holmes, Kennedy, Kvalheim, Lauderdale, Lindsey, Marietta, Martin, Mikell, Newman, Nicholson, Parker, Payne, Poole, Rains, Reed, Seibels, Smith, Spratt, Starr, Thomas, Turner, Turnham, Venable, White (F), White (G) and Zoghby.

—44

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 965. Relating to Morgan County; to authorize the Morgan County Commission to pay the actual cost of replacing any clothing or equipment of a deputy sheriff, probation officer or juvenile detention officer of the county that is damaged or destroyed while such officer is engaged in the performance of his official duties and acting within the line and scope of his authority.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 45; Nays 0.

*Yeas:*

Mr. Speaker, Black, Blakeney, Box, Brakefield, Britnell, Brooks, Bryant, Buskey (James), Buskey (John), Clark (D), Clark (W), Coleman, Gaston, Goodwin, Grouby, Hammett, Harper, Hettinger, Holmes, Kennedy, Kvalheim, Lauderdale, Lindsey, Marietta, Martin, Mikell, Newman, Nicholson, Parker, Payne, Poole, Rains, Reed, Seibels, Smith, Spratt, Starkey, Starr, Turner, Turnham, Venable, White (F), White (G) and Zoghby.

—45

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 966. Relating to Morgan County; to authorize the Morgan County Commission to enter into contract providing for the Sheriff of Morgan County to furnish police protection within municipality of the county on a contract basis. To further authorize municipalities entering into such a contract police agreement to pay over to the county treasurer monies sufficient to reimburse the county treasury for expenditures necessary to provide said contract policing.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 45; Nays 0.

*Yeas:*

Mr. Speaker, Black, Blakeney, Box, Brakefield, Britnell, Brooks, Bryant, Bugg, Buskey (John), Clark (D), Clark (W), Coleman, Gaston, Goodwin, Grouby, Hammett, Hettinger, Holmes, Kennedy, Kvalheim, Lauderdale, Lindsey, Marietta, Martin, Melton, Mikell, Newman, Nicholson, Parker, Payne, Poole, Rains, Reed, Seibels, Smith, Spratt, Starkey, Starr, Turner, Turnham, Venable, White (F), White (G) and Zoghby.

—45

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 967. Relating to Morgan County; to amend Section 1 of Act No. 733, S. 811, Regular Session 1977 (Acts 1977, p. 1279) which regulates the compensation of members of the county board of registrars, so as to provide further for such compensation and to specifically repeal Act No. 622, H. 1108, 1981 Regular Session (Acts 1981, p. 1036).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 48; Nays 0.

*Yeas:*

Mr. Speaker, Black, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Buskey (John), Campbell, Carter, Clark (D), Coleman, Gaston, Goodwin, Grayson, Grouby, Hammett, Harper, Hettinger, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Melton, Mikell, Newman, Nicholson, Parker, Penry, Poole, Rains, Reed, Seibels, Smith, Spratt, Starkey, Starr, Turner, Turnham, Venable, White (F), White (G) and Zoghby.

—48

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 970. To authorize the Talladega County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker, Black, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Campbell, Carter, Clark (D), Clark (W), Coleman, Crow, Flowers, Gaston, Goodwin, Grayson, Grouby, Hammett, Harper, Hettinger, Holmes, Johnson (R.G.), Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Melton, Newman, Nicholson, Parker, Penry, Poole, Preuitt, Rains, Reed, Seibels, Smith, Spratt, Starkey, Starr, Turner, Turnham, Venable, White (F), White (G) and Zoghyby.

—56

## RESOLUTIONS

The following resolutions were introduced:

By Rep. Cosby:

H. J. R. 364. CREATING AN INTERIM COMMITTEE TO STUDY INSURANCE LAWS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim committee to study all aspects of insurance laws, including but not limited to mandatory liability insurance. Such committee shall be composed of three members of the House of Representatives, to be appointed by the Speaker of the House, and three members of the Senate, to be appointed by the President of the Senate. The chairman of the committee shall be chosen by the members.

The members of the committee shall be entitled to their regular pay and per diem expenses, including mileage, for each day in which they are engaged in committee work. Such pay and expenses shall be paid out of any available funds appropriated for use of the legislature. Provided, that the total expenditures of the committee shall not exceed \$10,000.00.

The committee shall report its findings, recommendations and suggested legislation to the legislature by the fifth legislative day of the 1985 Regular Session.

On motion of Rep. Cosby, the rules were suspended and the resolution, H. J. R. 364, was adopted.

Also:

By Reps. Penry and McMillan:

H. J. R. 365. EXPRESSING LEGISLATIVE INTENT REGARDING H. B. 860 AS ENACTED.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the intent of this Legislature concerning H. B. 860; which provides for a referendum in Baldwin County regarding the creation of a Revenue Commissioner; as enacted, is that a referendum regarding combining certain offices as provided in H. B. 860 shall be held prior to July 1984, even if no other countywide referendum is held prior to said date.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Baldwin County Probate Judge.



On motion of Rep. McMillan, the rules were suspended and the resolution, H. J. R. 365, was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Hooper, the rules were suspended in order to take up out of order the bill, H. 945.

And the bill:

H. 945. To require persons who have any financial interest in any hazardous waste disposal site in the state of Alabama to file an annual statement of such financial interest with the Secretary of State and to provide penalties for the noncompliance with this act.

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker, Bachus, Beers, Biddle, Blakeney, Boles, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carter, Clark (J), Clark (W), Coleman, Cosby, Davis, Dutton, Escott, Flowers, Gaston, Gray, Grayson, Grouby, Hammett, Harper, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, McNair, Marietta, Melton, Mikell, Mitchell, Moore, Newman, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Reed, Rice, Rogers, Seibels, Smith, Spratt, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G) and Zoghby.

—75

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RULE SUSPENDED

On motion of Rep. Johnson (Roy), Rule 4(4) was suspended to permit the bill, H. 945, being other than a local or general bill of local application, to be sent to the Senate.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Turnham, the rules were suspended in order to take up out of order the bill, S. 426.

And the bill:

S. 426. To make legislative findings regarding the need to provide additional methods of providing facilities employed in the provision of certain utility services, including water and sewer services, as well as the need for funds to finance such facilities; to define the particular terms used in the subsequent provisions of this act; to provide for and authorize the incorporation by any county or municipality in the state of one or more public corporations and instrumentalities of the state, upon the filing of an application with, and the making of certain determinations by, the governing body of a county or municipality; to provide for and authorize the certificate of incorporation of any such corporation to be amended at any time

and from time to time upon the filing of applications with, and the making of certain determinations by, the governing body of such county or municipality; to provide for a board of directors of any such corporation and the election and removal of the members thereof; to authorize any such corporation to acquire, construct, own, lease, make loans with respect to, operate, or enter into contracts for the operation of, facilities, and to provide for the general powers to be exercised by any such corporation and the conditions under which such powers may be exercised; to empower any such corporation to borrow money for its various corporate purposes and in evidence thereof to issue its notes, bonds and other obligations payable solely out of the revenues, receipts, income, funds or other sources specified in the proceedings under which such bonds, notes or other obligations are issued; to authorize any such corporation to pledge its revenues and mortgage or assign its assets as security for its notes, bonds or other obligations; to provide for the issuance of refunding bonds, notes or other obligations by any corporation for the purpose of refunding bonds, notes or other obligations theretofore issued or assumed by it; to provide a method for giving constructive notice of any mortgage, security interest, assignment or pledge created or made by any such corporation; to provide that the notes, bonds or other obligations of any such corporation shall not constitute or create a debt of the state or any county, municipality or other political subdivision or agency thereof; to provide that the notes, bonds and other obligations of any such corporation may be used for the investment of trusts and other fiduciary funds; to exempt from all taxation in the state the property, corporate activities, revenues and income of such corporation, such transaction or actions to which each such corporation is a party or in which it may be involved, and the notes, bonds and all other obligations of each such corporation and the income from such notes, bonds and obligations; to exempt any such corporation from all laws of the state governing usury or prescribing or limiting interest rates; to exempt any such corporation from all laws of the state requiring competitive bids for contracts to be entered into by counties, municipalities or public corporations; to exempt all utility services agreements and other contracts relating to the design, construction, acquisition, financing or operation of facilities financed by a corporation from all laws of the state requiring competitive bids for contracts to be entered into by counties, municipalities or public corporations and all laws relating to the maximum duration of contracts for the sale of personal property and contractual services to counties, municipalities or public corporations; to provide for liberal construction of the provisions of this act; to confer upon any corporation organized under the provisions of this act the power of eminent domain; to exempt any corporation organized under the provisions of this act from state supervision and control; to provide that any county, municipality or other political subdivision, agency or instrumentality of the state or any county or municipality may aid and cooperate with any such corporation, lend or donate money or perform services for the benefit thereof, and, without the necessity of an election, donate, sell, convey, transfer, lease or grant thereto any property of any kind; to authorize any county municipality or other political subdivision, agency or instrumentality thereof and the Tannehill Furnace and Foundry Commission to enter into utility services agreements, for a term not exceeding forty (40) years, providing for the provision of utility services to such entity by a provider under circumstances in which the facilities for the provision of such utility services are financed, in whole or in part, by a corporation; to provide that such entity may unconditionally and absolutely obligate itself to make payments pursuant to such utility services agreement irrespective of the performance of the facilities or the delivery of the pertinent utility services; to provide

that a utility services agreement may provide that when more than one such entity shall be a party to such a utility services agreement and one such entity shall default in its obligations thereunder, then the other such entity or entities may be obligated to assume the payment obligations of such defaulting entity; to provide legal and equitable remedies for the breach of utility services agreements; to prohibit any city, county or instrumentality of either thereof to enter into any utility services agreement or related agreements for the acquisition, construction, equipment or operation of any facilities unless the same shall have been approved by such entity after a public hearing following public notice; to provide that any such corporation shall be a nonprofit corporation; to provide that any such corporation may, in its discretion, publish a notice of the adoption of a resolution authorizing the issuance of bonds, notes or other obligations by such corporation, and to provide that any action or proceeding questioning the validity of any such bonds, notes or other obligations or instruments securing the same must be commenced within thirty (30) days after the first publication of said notice; to provide for the dissolution of any such corporation and for the vesting of title to its properties; and to provide that the provision of this act shall be severable.

Was read a third time at length and passed.

Yeas 60; Nays 0.

*Yeas:*

Mr. Speaker, Beers, Biddle, Blakeney, Boles, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carter, Clark (W), Coleman, Davis, Escott, Gaston, Gray, Hammett, Harper, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, McNair, Mathis, Melton, Mikell, Moore, Newman, Nicholson, Penry, Perdue, Poole, Reed, Rice, Rogers, Seibels, Smith, Spratt, Starr, Tanner, Thomas, Turner, Turnham, Venable, White (G) and Zoghby.

—60

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 913. Relating to the Mobile County Solid Waste Management Program and the residence, appointment and number of the Solid Waste Management Advisory Board; amending Section III of Act No. 81-450, H. 825, of the 1981 Regular Session (Act 1981, p. 773) therefor; making the provisions retroactive to any term effective after May 7, 1984.

JIMMY CLARK,  
Chairman.

And the bill, H. 913 as engrossed, was ordered sent to the Senate.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Senator Langford:

S. 341. To amend Sections 17-10-3 and 17-10-5, Code of Alabama, 1975, relating to application to vote by absentee ballots and the ballot therefor, so as to permit certain eligible qualified electors of Alabama to apply for and to vote a "write-in" absentee ballot in certain primary elections and at the same time the runoff and general elections; to provide that this act does not apply to municipal elections; and to provide an effective date.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 341. Constitution and Elections.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Senator Dixon:

S. 594. To amend Section 36-27-16 of the Code of Alabama 1975, relating to retirement allowances under the employees' retirement system so as to provide further for such allowances.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 594. Ways and Means.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Senator Teague:

S. 479. To repeal Section 12-13-52, Code of Alabama 1975, which sec-

tion fines probate judges for the appointment of certain persons as guardian ad litem.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 479. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Senator Covington:

S. 404. To provide that all probate judges shall not receive for record, or permit the recording of, any instrument, conveying title to, or any interest in, real property that does not have legibly printed, typewritten or stamped thereon the grantee's name and latest complete address.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 404. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Menton:

S. 208. To provide preferential treatment towards admission to any medical research program for any disease deemed crippling or fatal, because of the lack of a known cure, for any sworn full time, regular employed state, county or municipal police officer or fire fighter.

Also:

By Senators Foshee and Teague:

S. 537. To amend Section 32-6-6, Code of Alabama 1975, relating to the contents of a driver's license, so as to provide for a standard sized driver's license and nondriver identification card, to levy an additional fee for the issuance of said standardized license and card and to provide for the disbursement of said money.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 208. Health

S. 537. State Administration.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Covington:

S. 392. To allow persons seventeen years of age or older to donate blood without parental permission.

Also:

By Senator Teague:

S. 543. To amend Section 27-4-2, Code of Alabama 1975, which directs the Commissioner of Insurance to collect in advance certain fees, licenses and miscellaneous charges, by increasing said fees, licenses and miscellaneous charges, charging an application fee for resident and non-resident life and disability agents, establishing an Insurance Regulatory Trust Fund for the payment of the direct and indirect expenses of the Insurance Department, authorizing the investment of available monies of the Insurance Regulatory Trust Fund by the agency having the constitutional or statutory power to make investments and reinvestments for and behalf of any state agency, requiring that all earnings derived from such investments be paid into the Insurance Regulatory Trust Fund, requiring that any cash balance in the Insurance Regulatory Revolving Trust Fund after the conclusion of the current fiscal year be carried forward in the same fund for the next succeeding fiscal year and each fiscal year thereafter, authorizing the state's chief fiscal officer to transfer monies from funds of the State Treasury to the Insurance Regulatory Revolving Trust Fund should that fund incur a deficiency, requiring that any monies so transferred be repaid before the conclusion of the fiscal year in which the transfer is made, and allowing the Insurance Department's expenses to be paid by appropriations from the state general fund with repayment to the state general fund being made before the end of the next fiscal year.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 392. Health.

S. 543. Insurance.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and sends same herewith to the House:

By Senator Aldridge:

S. 414. To provide for a guaranteed minimum starting wage or salary for all county law enforcement officers of this state and provide for the enforcement of the provisions of this act.

Also:

By Senators Bennett, Menton, and Bedsole:

S. 382. To amend § 22-30-4, Code of Alabama 1975, as amended, relating to the regulatory authority of the state department of environmental management over hazardous waste, so as to provide further for such authority by providing for certain monitoring teams at disposal sites with such teams being financed by levying certain fees on operators of such sites.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 414. State Administration.

S. 382. State Administration.

CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department of the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4:05 P.M. on May 8, 1984.

H. J. R. 287.

H. J. R. 288.

H. 229.

Delivered to the Governor at 8:00 P.M. on May 8, 1984.

H. 81.

JOHN W. PEMBERTON,  
Clerk.

ADJOURNMENT

On motion of Rep. Johnson (Roy) and pursuant to the resolution, H. R. 358, heretofore adopted, the House adjourned until 12:00 o'clock noon, Wednesday, May 9, 1984.

## TWENTY-EIGHTH DAY

House of Representatives  
Montgomery, Alabama  
Wednesday, May 9, 1984

The House met pursuant to adjournment.

## PRAYER

The session was opened with prayer by Father William Shira, St. Bede's Church, Montgomery, Alabama.

## ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R. G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), and Zoghby.

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A quorum was present.

## REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-seventh legislative day and finds the same to be correct.

JIMMY CLARK,  
Chairman.

On motion of Rep. Clark, (J), the reading at length of the Journal of the House for the twenty-seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-seventh legislative day was approved.

## NOTICE IN WRITING

Rep. Johnson (Roy) filed the following Notice in Writing:

Having voted on the prevailing side by which S. B. 76 was re-referred, I now move to reconsider the vote by which this measure was taken.



MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 125. Relating to the further regulation of liquefied petroleum gas and the powers, duties and authority of the liquefied petroleum gas board and appointees and employees thereof; to amend Sections 9-17-100, 9-17-102, 9-17-103, 9-17-104, 9-17-105, 9-17-106, and 9-17-109 of the Code of Alabama 1975; and to provide penalties for violations.

Also:

H. 615. To amend § 40-25-2, Code of Alabama 1975, so as to levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; to amend Section 40-25-23 to provide for disposition of the proceeds of the tobacco tax; to provide for consistency in the manner of taxing cigarettes within the State of Alabama; and to repeal Sections 40-25-60, 40-25-61 and 40-25-62, Code of Alabama, 1975.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 828. To make supplemental appropriations from the Public Road and Bridge Fund to the State Highway Department for the fiscal year ending September 30, 1984.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 61. Relating to the uniform commercial code; to amend Section 7-9-403, Code of Alabama 1975, to exempt mobile homes from being subject to the limitation of filing a continuation statement five years after filing a financing statement on a perfected security interest.

Also:

H. 477. To amend Sections 40-9-19 and 40-9-21, Code of Alabama 1975, which provides for ad valorem tax exemptions, so as to provide further for the homestead provision for persons 65 years old or older.

Also:

H. 591. To repeal Act No. 80-90 of the 1980 Regular Session of the Alabama Legislature; to prohibit any further transfers from the state insurance fund pursuant to Act No. 80-90; and to provide for the transfer back of funds heretofore transferred from the state insurance fund pursuant to Act No. 80-90, by the State Finance Director with approval of the Governor.

Also:

H. 778. To amend Section 34-22-40, Code of Alabama 1975, which establishes the Alabama board of optometry, so as to provide further for the terms of office of the members of said board.

Also:

H. 780. To provide for a supplemental appropriation to the Department of Agriculture and Industries from the Agricultural Fund for the period ending September 30, 1984, in the amount of \$400,000.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 410. To amend Section 8-8-5, Code of Alabama 1975, relating to loans or credit sales to which usury laws do not apply, so as to reduce the amount on which interest may be negotiated notwithstanding any other law to the contrary.

McDOWELL LEE,  
Secretary.

#### LEAVE OF ABSENCE

At the request of Rep. Carothers, leave of absence was granted for Rep. Mathis.

#### MOTION TO RECONSIDER

Having previously filed a Notice in Writing, Rep. Johnson (Roy) offered the motion to reconsider the vote by which the bill, S. 76, was recommitted to the Standing Committee on Judiciary.

#### MOTION TO TABLE LOST

The motion offered by Rep. Holley to table the motion to reconsider offered by Rep. Johnson (Roy), was lost.

Yeas 28; Nays 44.

*Yeas:*

Mr. Speaker, Blakeney, Britnell, Brooks, Browder, Burke, Butler, Carter, Faulk, Fuller, Gray, Hall, Holley, Johnson (R.G.), Laird, McKee, Mikell, Nicholson, Onderdonk, Payne, Poole, Rains, Smith, Turnham, Warren, White (F), White (G) and White (L).

—28

*Nays:*

Reps.: Blake, Boles, Bowling, Box, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carothers, Clark (D), Coburn, Coleman, Cosby, Davis, Escott, Goodwin, Hammett, Harper, Hettinger, Horn, Johnson (Roy), Junkins, Lindsey, McDowell, McNair, Marietta, Martin, Melton, Mitchell,

Moore, Newman, Penry, Perdue, Rice, Rogers, Seibels, Spratt, Starkey, Starr, Tanner, Thomas, Trammell and Zoghby.

—44

### MOTION TO RECONSIDER ADOPTED

The question was then on the motion offered by Rep. Johnson (Roy) to reconsider the vote by which the bill, S. 76, was recommitted to the Standing Committee on Judiciary, and the motion to reconsider was adopted.

Yeas 45; Nays 35.

*Yeas:*

Reps.: Albright, Black, Blake, Boles, Bowling, Box, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carothers, Clark (D), Clark (J), Coleman, Crow, Davis, Escott, Ford, Fuller, Goodwin, Harper, Hettinger, Holmes, Horn, Johnson (Roy), Junkins, Lindsey, McDowell, McNair, Marietta, Martin, Mitchell, Moore, Newman, Penry, Perdue, Rogers, Seibels, Spratt, Starkey, Starr, Tanner, Trammell and Zoghby.

—45

*Nays:*

Mr. Speaker, Bachus, Beers, Biddle, Blakeney, Brakefield, Britnell, Brooks, Browder, Burke, Butler, Carter, Clark (W), Coburn, Faulk, Gray, Hall, Holley, Johnson (R.G.), Lauderdale, McKee, Mikell, Nicholson, Onderdonk, Parker, Payne, Poole, Pratt, Preuitt, Rains, Smith, Warren, White (F), White (G) and White (L).

—35

### NOTICE IN WRITING

Rep. Coleman filed the following Notice in Writing:

Notice is hereby given, in accordance with House Rule 7, that on the next legislative day, a motion will be made to amend the House Rules as follows:

No member can have more than one motion pending at one time except a motion to reconsider and a motion to table that motion. This has no affect on a motion to adjourn.

### RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 366. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That immediately upon adoption of this report, the following business in the order named be made the special and paramount order of business for Wednesday, May 9, 1984, taking precedence over any other business of the House and any other pending Special Orders:

S. 76 p. 146 Municipal Option Senator Teague

On motion of Rep. Clark (J), the resolution, H. R. 366, was adopted.

Yeas 43; Nays 34.

*Yeas:*

Reps.: Albright, Boles, Bowling, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carothers, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Escott, Fuller, Goodwin, Harper, Hettinger, Holmes, Horn, Johnson (Roy), Junkins, Lindsey, McNair, Marietta, Martin, Mitchell, Moore, Newman, Penry, Perdue, Rogers, Seibels, Spratt, Starkey, Starr, Tanner, Thomas, Trammell and Zoghby.

—43

*Nays:*

Mr. Speaker, Beers, Biddle, Blakeney, Brakefield, Britnell, Brooks, Browder, Burke, Butler, Carter, Coburn, Faulk, Ford, Gray, Grayson, Hall, Holley, Johnson (R.G.), Laird, Lauderdale, McKee, Mikell, Nicholson, Onderdonk, Parker, Payne, Poole, Pratt, Rains, Smith, Warren, White (F) and White (G).

—34

### SPECIAL ORDER

The House then proceeded with the consideration of the Special Order Calendar.

And the bill:

S. 76. (With Amendments): To further regulate and control transactions in alcoholic beverages which take place in Alabama by and under the supervision of the Alabama alcoholic beverage control board; to authorize municipal option elections to determine classification of municipalities as wet or dry municipalities as to alcoholic beverages; to provide that any municipality having a population of 6,000 or more located in a dry county, may change its classification from dry to wet or wet to dry by a municipal option election, upon the petition of 10% of the number of registered voters in said municipality; to provide for the manner and requirements of holding said municipal option election and for payment of the expenses of same; and to provide that a period of not less than 720 days must elapse between the dates of such municipal option elections.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend Senate Bill 76, page 3, line 28, after the period, by adding the following:

All other laws to the contrary notwithstanding, the electors residing within the corporate limits of any such municipality that has become wet pursuant to a municipal option election held under this Act shall not be entitled to vote in any subsequent county election or special method referendum held to determine if the county in which such municipality is located shall become wet. The question of whether such county shall become wet shall be decided by the electors of such county residing outside the corporate limits of such wet municipality as otherwise provided by law.

And the amendment was adopted.

Yeas 51; Nays 13.

*Yeas:*

Mr. Speaker, Blake, Blakeney, Boles, Bowling, Britnell, Brooks, Bugg, Burke, Buskey (John), Campbell, Carothers, Carter, Clark (D), Clark (J), Coleman, Cosby, Davis, Fuller, Goodwin, Gray, Grouby, Harper, Holley, Holmes, Horn, Johnson (R.G.), Johnson (Roy), Laird, Lauderdale, Lindsey, McNair, Marietta, Martin, Mitchell, Moore, Newman, Onderdonk, Payne, Perdue, Poole, Richardson, Rogers, Seibels, Smith, Spratt, Starkey, Starr, Trammell, Warren and White (L).

—51

*Nays:*

Reps.: Bachus, Beers, Brakefield, Butler, Crow, Faulk, Gaston, Mikell, Nicholson, Parker, Rains, Turnham and White (G).

—13

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend Senate Bill 76, page 1, in the Synopsis, at the beginning of line 11, by striking 6,000 and substituting in lieu thereof 7,000.

And in the Title, page 1, at the beginning of line 27, by striking 6,000 and substituting in lieu thereof 7,000.

And in Section 1, page 2, line 8, after the words "population of" by striking 6,000 and substituting in lieu thereof 7,000.

And in Section 3, page 4, line 24, after the words "population of" by striking 6,000 and substituting in lieu thereof 7,000, and at the beginning of line 29, by striking 6,000 and substituting in lieu thereof 7,000.

#### SUBSTITUTE AMENDMENT OFFERED

Rep. Johnson (Roy) offered the following substitute amendment to the amendment #2 reported by the Standing Committee on Judiciary to the bill, S. 76:

Amend Senate Bill 76, page 1, in the Synopsis, at the beginning of line 11, by striking 6,000 and substituting in lieu thereof 4,000.

And in the Title, page 1, at the beginning of line 27, by striking 6,000 and substituting in lieu thereof 4,000.

And in Section 1, page 2, line 8, after the words "population of" by striking 6,000 and substituting in lieu thereof 4,000.

And in Section 3, page 4, line 24, after the words "population of" by striking 6,000 and substituting in lieu thereof 4,000, and at the beginning of line 29, by striking 6,000 and substituting in lieu thereof 4,000.

#### SUBSTITUTE AMENDMENT TABLED

On motion of Rep. Onderdonk, the substitute amendment offered by Rep. Johnson (Roy), was tabled.

Yeas 57; Nays 31.

*Yeas:*

Reps.: Adams, Beers, Biddle, Blakeney, Bowling, Brakefield, Britnell,

Browder, Bryant, Burke, Butler, Carter, Coleman, Cosby, Crow, Dutton, Faulk, Flowers, Ford, Gaston, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Holley, Hooper, Johnson (R.G.), Kvalheim, Laird, Lauderdale, Lindsey, McKee, Marietta, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Poole, Preuitt, Rains, Rice, Richardson, Sasser, Smith, Thomas, Turnham, Venable, Warren, White (F), White (G) and White (L).

—57

*Nays:*

Reps.: Albright, Bachus, Blake, Boles, Brooks, Buskey (James), Buskey (John), Campbell, Carothers, Clark (D), Clark (J), Coburn, Davis, Escott, Holmes, Horn, Johnson (Roy), McDowell, McMillan, McNair, Melton, Moore, Penry, Perdue, Rogers, Seibels, Spratt, Starkey, Starr, Trammell and Zoghby.

—31

### AMENDMENT ADOPTED

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Judiciary to the bill, S. 76, and the amendment was adopted.

Yeas 80; Nays 3.

*Yeas:*

Mr. Speaker, Adams, Albright, Biddle, Black, Blakeney, Boles, Bowling, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carter, Clark (D), Clark (J), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Harper, Harvey, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kvalheim, Laird, Lauderdale, McDowell, McKee, McMillan, McNair, Marietta, Martin, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Preuitt, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Warren, White (F), White (G), White (L) and Zoghby.

—80

*Nays:* Reps.: Blake, Holley and Rains.

—3

### MOTION TO POSTPONE TABLED

On motion of Rep. Johnson (Roy), the motion offered by Rep. Holley to postpone further consideration of the bill, S. 76 as amended, to the thirtieth legislative day, was tabled.

Yeas 48; Nays 42.

*Yeas:*

Reps.: Albright, Black, Blake, Boles, Bowling, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carothers, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Davis, Dutton, Escott, Goodwin, Harper, Hettinger, Holmes, Horn, Johnson (Roy), Junkins, McDowell, McMillan, McNair, Marietta, Martin, Melton, Moore, Newman, Nicholson, Penry, Perdue, Pratt, Rogers, Seibels, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Venable and Zoghby.

—48

*Nays:*

Mr. Speaker, Adams, Beers, Blakeney, Brakefield, Britnell, Brooks, Browder, Burke, Butler, Carter, Cosby, Crow, Faulk, Flowers, Ford, Gray, Grayson, Grouby, Hall, Harvey, Holley, Johnson (R.G.), Laird, Lauderdale, McKee, Mikell, Mitchell, Onderdonk, Parker, Payne, Poole, Preuitt, Rains, Rice, Richardson, Sasser, Smith, Warren, White (F), White (G) and White (L).

—42

AMENDMENT OFFERED

Rep. Holley offered the following amendment to the bill, S. 76 as amended:

I move to amend Senate Bill No. 76 Page one (1) Line 29, by striking out "10% of the number of registered voters" after the word "of" and inserting "25% of the number of voters voting in the last preceding general election of the municipality."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 74; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carter, Clark (D), Clark (J), Coburn, Cosby, Crow, Dutton, Faulk, Ford, Goodwin, Gray, Grayson, Grouby, Hall, Harvey, Hettinger, Holley, Holmes, Johnson (R.G.), Johnson (Roy), Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, Marietta, Martin, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Poole, Rains, Richardson, Rogers, Seibels, Smith, Starkey, Starr, Tanner, Thomas, Trammell, Warren, White (F), White (G), White (L) and Zoghby.

—74

AMENDMENT OFFERED

Rep. Holley offered the following amendment #2 to the bill, S. 76 as amended:

Amend Senate Bill No. 76 Page 4, Section 2 Line 9, by inserting after the word act — county school systems may receive revenue from the sale of alcoholic beverages upon approval by the city council of said municipality.

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 71; Nays 1.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blakeney, Boles, Bowling, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carter, Clark (D), Clark (J), Coburn, Coleman, Cosby, Crow, Davis, Faulk, Ford, Gaston, Goodwin, Grayson, Grouby, Hall, Harvey, Hettinger, Holley, Holmes, Horn, Johnson

(R.G.), Johnson (Roy), Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McMillan, Marietta, Mikell, Moore, Newman, Parker, Payne, Penry, Poole, Rains, Rice, Rogers, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Warren, White (F), White (G) and White (L).

—71

Nays: Rep. Martin.

—1

#### AMENDMENT OFFERED

Rep. Holley offered the following amendment #3 to the bill, S. 76 as amended:

Amend Senate Bill No. 76 Page 2 Line 14, by inserting “, after giving majority approval of the petition by the governing body,” after the word “body”.

#### AMENDMENT TABLED

On motion of Rep. Johnson (Roy), the amendment #3 offered by Rep. Holley to the bill, S. 76 as amended, was tabled.

Yeas 43; Nays 33.

Yeas:

Mr. Speaker, Albright, Blake, Blakeney, Boles, Bowling, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Clark (D), Clark (J), Coburn, Coleman, Davis, Dutton, Escott, Goodwin, Gray, Harper, Holmes, Horn, Johnson (Roy), Lindsey, McDowell, McMillan, McNair, Marietta, Martin, Melton, Moore, Newman, Parker, Penry, Perdue, Richardson, Rogers, Seibels, Spratt, Starkey, Starr and Zoghby.

—43

Nays:

Reps.: Adams, Bachus, Beers, Brakefield, Britnell, Brooks, Browder, Burke, Butler, Clark (W), Crow, Faulk, Flowers, Ford, Grayson, Hall, Harvey, Holley, Johnson (R.G.), Laird, Lauderdale, Mikell, Nicholson, Payne, Poole, Preuitt, Rains, Rice, Smith, Trammell, Warren, White (F) and White (G).

—33

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 61. Relating to the uniform commercial code; to amend Section 7-9-403, Code of Alabama 1975, to exempt mobile homes from being subject to the limitation of filing a continuation statement five years after filing a financing statement on a perfected security interest.

Also:

H. 125. Relating to the further regulation of liquefied petroleum gas and the powers, duties and authority of the liquefied petroleum gas board and appointees and employees thereof; to amend Sections 9-17-100, 9-17-102, 9-17-103, 9-17-104, 9-17-105, 9-17-106 and 9-17-109 of the Code of Alabama 1975; and to provide penalties for violations.



Also:

H. 410. To amend Section 8-8-5, Code of Alabama 1975, relating to loans or credit sales to which usury laws do not apply, so as to reduce the amount on which interest may be negotiated notwithstanding any other law to the contrary.

Also:

H. 477. To amend Sections 40-9-19 and 40-9-21, Code of Alabama 1975, which provides for ad valorem tax exemptions, so as to provide further for the homestead provision for persons 65 years old or older.

Also:

H. 591. To repeal Act No. 80-90 of the 1980 Regular Session of the Alabama Legislature; to prohibit any further transfers from the state insurance fund pursuant to Act No. 80-90; and to provide for the transfer back of funds heretofore transferred from the state insurance fund pursuant to Act No. 80-90, by the State Finance Director with approval of the Governor.

Also:

H. 615. To amend § 40-25-2, Code of Alabama 1975, so as to levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; to amend Section 40-25-23 to provide for disposition of the proceeds of the tobacco tax; to provide for consistency in the manner of taxing cigarettes within the State of Alabama; and to repeal Sections 40-25-60, 40-25-61 and 40-25-62, Code of Alabama, 1975.

Also:

H. 778. To amend Section 34-22-40, Code of Alabama 1975, which establishes the Alabama board of optometry, so as to provide further for the terms of office of the members of said board.

Also:

H. 780. To provide for a supplemental appropriation to the Department of Agriculture and Industries from the Agricultural Fund for the period ending September 30, 1984, in the amount of \$400,000.

Also:

H. 828. To make supplemental appropriations from the Public Road and Bridge Fund to the State Highway Department for the fiscal year ending September 30, 1984.

And Finds Same Correctly Enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present,

signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

## S. 76 RESUMED

## AMENDMENT OFFERED

Rep. Holley offered the following amendment #4 to the bill, S. 76 as amended:

Amend Senate Bill No. 76, Page 4, Section 1, Line 34, by inserting after the word election—any city qualified under this act may allow a vote on a city block by city block and if this block vote should pass, then a privately owned liquor store may be authorized to operate in that block.

## AMENDMENT TABLED

On motion of Rep. Johnson (Roy), the amendment #4 offered by Rep. Holley to the bill, S. 76 as amended, was tabled.

Yeas 44; Nays 27.

*Yeas:*

Reps.: Albright, Blake, Boles, Bowling, Brooks, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Clark (D), Clark (J), Coburn, Coleman, Cosby, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Harper, Hettinger, Holmes, Horn, Johnson (Roy), Lauderdale, Lindsey, McDowell, McMillan, McNair, Martin, Melton, Moore, Newman, Penry, Perdue, Poole, Rogers, Seibels, Spratt, Starkey, Starr and Zoghby.

—44

*Nays:*

Reps.: Adams, Blakeney, Brakefield, Britnell, Browder, Burke, Butler, Crow, Faulk, Gray, Grayson, Hall, Holley, Johnson (R.G.), Laird, Marietta, Mikell, Nicholson, Parker, Payne, Rains, Rice, Smith, Trammell, Warren, White (F) and White (G).

—27

## NOTICE IN WRITING

Rep. Poole filed the following Notice in Writing:

Notice is hereby given that on the next Legislative Day, a motion will be made to amend the Rules of the House as follows:

Add a new Rule to read as follows:

Rule 24b. Each member of the House shall be given a copy of the Special Education Trust Fund Budget and a copy of the General Fund Budget one Legislative Day before the budget is to be considered by the full House.

And to add a new Rule 30a to read as follows:

Rule 30a. The members of the House shall vote by recorded vote on any legislation relating to any per diem, expense allowance, mileage or any pay or compensation whatsoever for members of the House.

S. 76 RESUMED  
AMENDMENT OFFERED

Rep. Martin offered the following amendment to the bill, S. 76 as amended:

Amend S. B. 76, Section \_\_\_\_\_, Page \_\_\_\_\_, line(s) \_\_\_\_\_ by (striking or adding) after the word(s) the following:

1. Page 2, Line 12 by striking out "ten percent of the number of registered voters" after the word "of" and inserting "25% of the number of voters voting in the last preceding general election of the municipality."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 66; Nays 4.

*Yeas:*

Mr. Speaker, Adams, Albright, Black, Blake, Boles, Bowling, Brakefield, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carter, Clark (D), Clark (J), Clark (W), Coleman, Davis, Dutton, Escott, Ford, Gaston, Goodwin, Gray, Harper, Hettinger, Holley, Holmes, Horn, Johnson (R.G.), Johnson (Roy), Laird, Lauderdale, Lindsey, McDowell, McMillan, McNair, Marietta, Martin, Melton, Moore, Newman, Onderdonk, Penry, Perdue, Poole, Rains, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Trammell, Warren, White (F), White (G) and Zoghby.

—66

*Nays:* Reps.: Crow, Faulk, Mikell and Nicholson.

—4

AMENDMENT OFFERED

Rep. Hall offered the following amendment to the bill, S. 76 as amended:

On page 4, lines 7 through 11, delete all the language in Section 2 and insert in lieu thereof:

Section 2. Notwithstanding any provision of law to the contrary, the proceeds from all taxes levied under the provisions of this act shall be distributed to the county and the municipality on a per capita basis.

AMENDMENT TABLED

On motion of Rep. Johnson (Roy), the amendment offered by Rep. Hall to the bill, S. 76 as amended, was tabled.

Yeas 41; Nays 34.

*Yeas:*

Mr. Speaker, Albright, Biddle, Blake, Bowling, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carter, Clark (J), Coburn, Coleman, Cosby, Davis, Escott, Faulk, Goodwin, Harper, Holmes, Horn, Johnson (Roy), Lindsey, McDowell, McMillan, McNair, Marietta, Martin, Melton, Moore, Parker, Penry, Perdue, Pratt, Rogers, Seibels, Spratt, Starkey, Starr and Zoghby.

—41

*Nays:*

Reps.: Adams, Bachus, Blakeney, Brakefield, Britnell, Brooks, Browder, Burke, Butler, Clark (D), Crow, Dutton, Grayson, Grouby, Hall, Hettinger, Holley, Johnson (R.G.), Laird, Lauderdale, Mikell, Mitchell, Newman, Payne, Poole, Preuitt, Rains, Rice, Richardson, Sasser, Smith, Trammell, Warren and White (F).

—34

#### AMENDMENT OFFERED

Rep. Hall offered the following amendment #2 to the bill, S. 76 as amended:

On page 1, on line 34 after the "period" insert:

To further provide that the provisions of this act shall be operative only if approved by a majority vote of the electors of this state.

On page 5, insert the following new Section 6 and renumber the present Section 6 as Section 7:

Section 6. The provisions of this act shall become operative only upon the approval of the qualified electors of this state at the next statewide primary, general or special election. The question submitted shall be: "Do you favor the implementation of Act 84—, S. 76, 1984 Regular Session?"

#### AMENDMENT TABLED

On motion of Rep. Johnson (Roy), the amendment #2 offered by Rep. Hall to the bill, S. 76 as amended, was tabled.

Yeas 38; Nays 24.

*Yeas:*

Mr. Speaker, Blake, Bowling, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Clark (D), Clark (J), Coburn, Coleman, Davis, Escott, Goodwin, Gray, Harper, Horn, Johnson (Roy), McDowell, McMillan, McNair, Marietta, Martin, Melton, Moore, Newman, Penry, Perdue, Poole, Pratt, Rogers, Seibels, Smith, Spratt, Starkey, Starr and Zoghby.

—38

*Nays:*

Reps.: Adams, Albright, Blakeney, Brakefield, Britnell, Brooks, Browder, Burke, Butler, Crow, Grayson, Grouby, Hall, Holley, Johnson (R.G.), Laird, Lauderdale, Mikell, Parker, Payne, Richardson, Sasser, Warren and White (F).

—24

#### AMENDMENT OFFERED

Rep. Rice offered the following amendment to the bill, S. 76 as amended:

I move to amend Senate Bill No. 76, Page 4, Line 25, by striking out "Dry" after the word "a"

#### AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 67; Nays 3.

*Yeas:*

Mr. Speaker, Adams, Bachus, Beers, Biddle, Blake, Blakeney, Boles, Bowling, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Campbell, Carter, Clark (D), Clark (J), Coburn, Coleman, Crow, Dutton, Escott, Faulk, Flowers, Gaston, Goodwin, Gray, Hall, Harper, Harvey, Holley, Horn, Johnson (R.G.), Johnson (Roy), Laird, Lauderdale, Lindsey, McDowell, McMillan, Martin, Melton, Moore, Newman, Parker, Payne, Penry, Perdue, Poole, Preuitt, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Trammell, Warren, White (F) and White (G).

—67

*Nays:* Reps.: McNair, Mikell and Mitchell.

—3

AMENDMENT OFFERED

Rep. Rice offered the following amendment #2 to the bill, S. 76 as amended:

I move to amend Senate Bill No. 76, Page one (1), Line 27, by striking out "located in a dry county" after the word "more"

Page Two (2) on Line 3 by striking out "located within a dry county."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 54; Nays 3.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Blake, Boles, Bowling, Brakefield, Britnell, Brooks, Browder, Bryant, Buskey (John), Campbell, Carter, Clark (D), Clark (J), Coburn, Crow, Dutton, Gaston, Goodwin, Gray, Hall, Harvey, Hettinger, Holley, Horn, Johnson (R.G.), Laird, Lauderdale, McMillan, Martin, Moore, Newman, Parker, Penry, Perdue, Poole, Preuitt, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Trammell, Warren, White (F) and White (G).

—54

*Nays:* Reps.: Faulk, McNair and Mikell.

—3

AMENDMENT OFFERED

Rep. Rice offered the following amendment #3 to the bill, S. 76 as amended:

I move to amend Senate Bill No. 76, Page 3, Line 17, by striking out "regardless of the dry status of the county as a whole" after the word "wet"

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 59; Nays 4.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Boles, Bowling, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John),

Butler, Campbell, Carter, Clark (D), Clark (J), Clark (W), Coburn, Crow, Dutton, Gaston, Goodwin, Gray, Hall, Harper, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Lauderdale, Lindsey, McMillan, Martin, Moore, Newman, Parker, Penry, Poole, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Warren, White (F) and White (G).

—59

*Nays:* Reps.: Blakeney, Faulk, McNair and Mikell.

—4

#### AMENDMENT OFFERED

Rep. Rice offered the following amendment #4 to the bill, S. 76 as amended:

I move to amend Senate Bill No. 76, Page 4, Line 14, by striking out "in dry counties" after the word "municipalities"

#### AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 64; Nays 3.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Clark (D), Clark (J), Coburn, Coleman, Crow, Dutton, Flowers, Gaston, Goodwin, Gray, Hall, Harper, Harvey, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Laird, Lauderdale, Lindsey, McMillan, Martin, Newman, Parker, Penry, Perdue, Poole, Preuitt, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Warren, White (F) and White (G).

—64

*Nays:* Reps.: Faulk, McNair and Mikell.

—3

#### AMENDMENT OFFERED

Rep. Holley offered the following amendment #5 to the bill, S. 76 as amended:

I move to amend Senate Bill No. 76, Page 3, Line 31, by striking out "the county shall by subsequent election or special referendum, vote wet, or after the word "until"

#### AMENDMENT TABLED

On motion of Rep. Johnson (Roy), the amendment #5 offered by Rep. Holley to the bill, S. 76 as amended, was tabled.

Yeas 41; Nays 33.

*Yeas:*

Mr. Speaker, Blake, Blakeney, Bowling, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carter, Clark (D), Clark (J), Coburn, Coleman, Davis, Dutton, Escott, Gaston, Goodwin, Hall, Harper, Horn, Johnson (Roy), Lindsey, McDowell, McMillan, McNair, Marietta, Martin, Melton,

Moore, Newman, Parker, Penry, Perdue, Rogers, Seibels, Spratt, Starkey, Starr and Zoghby.

—41

*Nays:*

Reps.: Adams, Albright, Beers, Boles, Brakefield, Britnell, Brooks, Browder, Burke, Butler, Crow, Faulk, Grayson, Grouby, Harvey, Johnson (R.G.), Laird, Lauderdale, McKee, Mikell, Mitchell, Nicholson, Payne, Poole, Pratt, Rains, Richardson, Sasser, Smith, Trammell, Warren, White (F) and White (G).

—33

### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 426. To make legislative findings regarding the need to provide additional methods of providing facilities employed in the provision of certain utility services, including water and sewer services, as well as the need for funds to finance such facilities; to define the particular terms used in the subsequent provisions of this act; to provide for and authorize the incorporation by any county or municipality in the state of one or more public corporations and instrumentalities of the state, upon the filing of an application with, and the making of certain determinations by, the governing body of a county or municipality; to provide for and authorize the certificate of incorporation of any such corporation to be amended at any time and from time to time upon the filing of applications with, and the making of certain determinations by, the governing body of such county or municipality; to provide for a board of directors of any such corporation and the election and removal of the members thereof; to authorize any such corporation to acquire, construct, own, lease, make loans with respect to, operate, or enter into contracts for the operation of, facilities, and to provide for the general powers to be exercised by any such corporation and the conditions under which such powers may be exercised; to empower any such corporation to borrow money for its various corporate purposes and in evidence thereof to issue its notes, bonds, and other obligations payable solely out of the revenues, receipts, income, funds or other sources specified in the proceedings under which such bonds, notes or other obligations are issued; to authorize any such corporation to pledge its revenues and mortgage or assign its assets as security for its notes, bonds or other obligations; to provide for the issuance of refunding bonds, notes or other obligations by any corporation for the purpose of refunding bonds, notes or other obligations theretofore issued or assumed by it; to provide a method for giving constructive notice of any mortgage, security interest, assignment or pledge created or made by any such corporation; to provide that the notes, bonds or other obligations of any such corporation shall not constitute or create a debt of the state or any county, municipality or other political subdivision or agency thereof; to provide that the notes, bonds and other obligations of any such corporation may be used for the investment of trusts and other fiduciary funds; to exempt from all taxation in the state the property, corporate activities, revenues and income of such corporation, such transaction or actions to which each such corporation is a party or in which it may be involved, and the notes, bonds and all other obligations of each such corporation and the income from such notes, bonds and obligations; to exempt

any such corporation from all laws of the state governing usury or prescribing or limiting interest rates; to exempt any such corporation from all laws of the state requiring competitive bids for contracts to be entered into by counties, municipalities or public corporations; to exempt all utility services agreements and other contracts relating to the design, construction, acquisition, financing or operation of facilities financed by a corporation from all laws of the state requiring competitive bids for contracts to be entered into by counties, municipalities or public corporations and all laws relating to the maximum duration of contracts for the sale of personal property and contractual services to counties, municipalities or public corporations; to provide for liberal construction of the provisions of this act; to confer upon any corporation organized under the provisions of this act the power of eminent domain; to exempt any corporation organized under the provisions of this act from state supervision and control; to provide that any county, municipality or other political subdivision, agency or instrumentality of the state or any county or municipality may aid and cooperate with any such corporation, lend or donate money or perform services for the benefit thereof, and, without the necessity of an election, donate, sell, convey, transfer, lease or grant thereto any property of any kind; to authorize any county, municipality or other political subdivision, agency or instrumentality thereof and the Tannehill Furnace and Foundry Commission to enter into utility services agreements, for a term not exceeding forty (40) years, providing for the provision of utility services to such entity by a provider under circumstances in which the facilities for the provision of such utility services are financed, in whole or in part, by a corporation; to provide that such entity may unconditionally and absolutely obligate itself to make payments pursuant to such utility services agreement irrespective of the performance of the facilities or the delivery of the pertinent utility services; to provide that a utility services agreement may provide that when more than one such entity shall be a party to such a utility services agreement and one such entity shall default in its obligations thereunder, then the other such entity or entities may be obligated to assume the payment obligations of such defaulting entity; to provide legal and equitable remedies for the breach of utility services agreements; to prohibit any city, county or instrumentality of either thereof to enter into any utility services agreement or related agreements for the acquisition, construction, equipment or operation of any facilities unless the same shall have been approved by such entity after a public hearing following public notice; to provide that any such corporation shall be a nonprofit corporation; to provide that any such corporation may, in its discretion, publish a notice of the adoption of a resolution authorizing the issuance of bonds, notes or other obligations by such corporation, and to provide that any action or proceeding questioning the validity of any such bonds, notes or other obligations or instruments securing the same must be commenced within thirty (30) days after the first publication of said notice; to provide for the dissolution of any such corporation and for the vesting of title to its properties; and to provide that the provisions of this act shall be severable.

McDOWELL LEE,  
Secretary.

#### SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill, the title of which is set out in the above and foregoing Message from the Senate.



S. 76 RESUMED

AMENDMENT OFFERED

Rep. Blakeney offered the following amendment to the bill, S. 76 as amended:

Amend Senate Bill 76 on Page 1, Title, line 33, by striking the number 720-and inserting in lieu thereof the following: 1400

MOTION TO TABLE LOST

The motion offered by Rep. Johnson (Roy), to table the amendment offered by Rep. Blakeney to the bill, S. 76 as amended, was lost.

Yeas 36; Nays 36.

*Yeas:*

Reps.: Blake, Bowling, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Clark (D), Clark (J), Coburn, Coleman, Davis, Escott, Faulk, Goodwin, Harper, Holmes, Horn, Johnson (Roy), Lindsey, McDowell, McNair, Marietta, Martin, Melton, Moore, Newman, Onderdonk, Perdue, Richardson, Rogers, Seibels, Spratt, Starkey, Starr and Zoghby.

—36

*Nays:*

Reps.: Adams, Albright, Beers, Blakeney, Boles, Brakefield, Britnell, Brooks, Browder, Burke, Butler, Cosby, Crow, Gray, Grayson, Grouby, Hall, Harvey, Holley, Johnson (R.G.), Laird, Lauderdale, McKee, Mikell, Nicholson, Parker, Payne, Poole, Pratt, Rains, Sasser, Smith, Trammell, Warren, White (F) and White (L).

—36

AMENDMENT LOST

The question was then on the adoption of the amendment offered by Rep. Blakeney to the bill, S. 76 as amended, and the amendment was lost.

Yeas 36; Nays 39.

*Yeas:*

Reps.: Adams, Beers, Blakeney, Brakefield, Britnell, Brooks, Browder, Burke, Butler, Cosby, Crow, Faulk, Ford, Gray, Grayson, Grouby, Hall, Harvey, Holley, Johnson (R.G.), Laird, Lauderdale, Nicholson, Onderdonk, Parker, Payne, Poole, Pratt, Rains, Richardson, Sasser, Smith, Trammell, Warren, White (F) and White (G).

—36

*Nays:*

Mr. Speaker, Albright, Black, Blake, Boles, Bowling, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carter, Clark (D), Clark (J), Clark (W), Coleman, Davis, Escott, Goodwin, Harper, Holmes, Horn, Johnson (Roy), McDowell, McMillan, McNair, Marietta, Martin, Melton, Moore, Newman, Penry, Perdue, Rogers, Seibels, Spratt, Starkey, Starr and Zoghby.

—39

## AMENDMENT OFFERED

Rep. Onderdonk offered the following amendment to the bill, S. 76 as amended:

After Section 3, page 4, line 30, add the following new Section 4 and renumber the remaining sections accordingly:

Section 4. If any municipality having a population of 7,000 or more, of any county, votes to allow the sale of alcoholic beverages in its corporate limits pursuant to this act, then every other municipality having a population of 4,000 or more in the county shall be likewise authorized to petition for and hold an election on whether to legalize the sale of such beverages in the same manner, and under the same conditions, as municipalities of 7,000 or more.

## AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 49; Nays 2.

Yeas:

Mr. Speaker, Albright, Black, Blake, Blakeney, Boles, Bowling, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (John), Clark (D), Clark (J), Coburn, Coleman, Cosby, Davis, Dutton, Escott, Grouby, Hettinger, Hooper, Horn, Johnson (Roy), Lauderdale, Lindsey, McDowell, McNair, Martin, Melton, Newman, Parker, Penry, Perdue, Poole, Richardson, Rogers, Sasser, Smith, Spratt, Starr, Trammell, Warren, White (F), White (L) and Zoghby.

—49

Nays: Reps.: Holley and Mikell.

—2

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

## AMENDMENT OFFERED

Rep. Beers offered the following amendment to the bill, S. 76 as amended:

Amend Senate Bill 76, page 1, in the Synopsis, at the beginning of line 11, by striking ~~6,000~~ and substituting in lieu thereof 30,000

And in the Title, page 1, at the beginning of line 27, by striking ~~6,000~~ and substituting in lieu thereof 30,000

And in Section 1, page 2, line 8, after the words "population of" by striking ~~6,000~~ and substituting in lieu thereof 30,000

And in Section 3, page 4, line 24, after the words "population of" by striking ~~6,000~~ and substituting in lieu thereof 30,000 and at the beginning of line 29, by striking ~~6,000~~ and substituting in lieu thereof 30,000

AMENDMENT TABLED

On motion of Rep. Johnson (Roy), the amendment offered by Rep. Beers to the bill, S. 76 as amended, was tabled.

Yeas 42; Nays 34.

*Yeas:*

Reps.: Albright, Blake, Boles, Bowling, Box, Britnell, Bryant, Bugg, Buskey (John), Campbell, Carothers, Carter, Clark (D), Clark (J), Coburn, Coleman, Davis, Escott, Goodwin, Hettinger, Holmes, Horn, Johnson (Roy), Lauderdale, Lindsey, McDowell, McMillan, McNair, Martin, Melton, Moore, Newman, Parker, Penry, Perdue, Richardson, Rogers, Seibels, Spratt, Starkey, Starr and Zoghby.

—42

*Nays:*

Reps.: Adams, Beers, Blakeney, Brakefield, Brooks, Burke, Butler, Cosby, Faulk, Flowers, Gray, Grayson, Grouby, Hall, Harvey, Holley, Johnson (R.G.), Laird, Mikell, Nicholson, Payne, Poole, Pratt, Preuitt, Rains, Rice, Sasser, Smith, Trammell, Turnham, Warren, White (F), White (G) and White (L).

—34

AMENDMENT OFFERED

Rep. Blakeney offered the following amendment #2 to the bill, S. 76 as amended:

Amend Senate Bill 76 on Page 2, Section 1, line 30, by striking the language ~~primary, general, county-wide or~~

Further amend Senate Bill 76 on Page 3, Section 1, line 36 and line 37 by striking the language ~~primary, general, county-wide or~~

AMENDMENT TABLED

On motion of Rep. Johnson (Roy), the amendment #2 offered by Rep. Blakeney to the bill, S. 76 as amended, was tabled.

Yeas 40; Nays 31.

*Yeas:*

Albright, Blake, Boles, Bowling, Box, Bryant, Bugg, Buskey (John), Campbell, Carothers, Clark (D), Clark (J), Coburn, Coleman, Davis, Escott, Goodwin, Harper, Hettinger, Holmes, Horn, Johnson (Roy), Lindsey, McDowell, McMillan, McNair, Marietta, Martin, Melton, Moore, Newman, Penry, Perdue, Richardson, Rogers, Seibels, Spratt, Starkey, Starr and Zoghby.

—40

*Nays:*

Reps.: Adams, Beers, Blakeney, Brakefield, Britnell, Brooks, Burke, Butler, Cosby, Flowers, Gray, Grayson, Hall, Harvey, Holley, Johnson (R.G.), Laird, Mikell, Nicholson, Parker, Payne, Poole, Pratt, Preuitt, Rains, Sasser, Smith, Turnham, Warren, White (F) and White (L).

—31

## AMENDMENT OFFERED

Rep. Rains offered the following amendment to the bill, S. 76 as amended:

Amend S. 76, as amended, as follows:

On page one in lines 13 and 32 after the semi-colon insert the following:

to prohibit certain areas for the location of alcoholic beverage stores or the advertising of the sale of alcoholic beverages;

On page 4, after Section 3, add a new Section 4, and renumber subsequent sections accordingly, as follows:

Section 4. Any provision of this act or law or rule or regulation to the contrary notwithstanding, it is expressly provided that any area within 1,000 feet of any church, school, playground, park, day-care center or any facility or location where minors are customarily congregated or engaged in activities shall be prohibited for the location of any store or outlet for the sale of alcoholic beverages or for the advertising of the sale of any alcoholic beverages.

## AMENDMENT TABLED

On motion of Rep. Johnson (Roy), the amendment offered by Rep. Rains to the bill, S. 76 as amended, was tabled.

Yeas 41; Nays 33.

*Yeas:*

Reps.: Albright, Blake, Boles, Bowling, Box, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carothers, Clark (D), Clark (J), Coburn, Coleman, Davis, Escott, Goodwin, Harper, Holmes, Hooper, Horn, Johnson (Roy), Lauderdale, Lindsey, McDowell, McMillan, McNair, Marietta, Martin, Melton, Newman, Penry, Perdue, Richardson, Rogers, Seibels, Spratt, Starkey, Starr and Zoghby.

—41

*Nays:*

Reps.: Adams, Beers, Blakeney, Brakefield, Britnell, Brooks, Burke, Butler, Cosby, Faulk, Gray, Grayson, Hall, Harvey, Hettinger, Holley, Johnson (R.G.), Laird, Mikell, Nicholson, Onderdonk, Parker, Payne, Poole, Pratt, Rains, Sasser, Smith, Trammell, Turnham, Warren, White (F) and White (G).

—33

## MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Britnell to suspend the rules in order to call for a roll call vote taken viva voce on the bill, S. 76 as amended, was lost.

Yeas 35; Nays 43.

*Yeas:*

Reps.: Adams, Beers, Blakeney, Brakefield, Britnell, Brooks, Burke, Butler, Carter, Cosby, Crow, Dutton, Faulk, Flowers, Gray, Grayson, Grouby, Harvey, Hettinger, Holley, Johnson (R.G.), Laird, Lauderdale, Nicholson,

Parker, Payne, Poole, Preuitt, Rains, Smith, Trammell, Turnham, Warren, White (F) and White (G).

—35

*Nays:*

**Reps.:** Albright, Black, Blake, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carothers, Clark (D), Coburn, Coleman, Davis, Escott, Gaston, Goodwin, Harper, Holmes, Hooper, Horn, Johnson (Roy), Junkins, Kvalheim, Lindsey, McDowell, McMillan, McNair, Marietta, Martin, Melton, Mikell, Moore, Newman, Penry, Perdue, Pratt, Reed, Richardson, Spratt, Starkey, Starr, Thomas and Zoghby.

—43

#### MOTION TO INDEFINITELY POSTPONE

The motion offered by Rep. Holley to indefinitely postpone the bill, S. 76 as amended, was lost.

Yeas 45; Nays 46.

*Yeas:*

Mr. Speaker, Adams, Bachus, Beers, Biddle, Blakeney, Brakefield, Britnell, Brooks, Browder, Burke, Butler, Carter, Coburn, Cosby, Crow, Dutton, Faulk, Flowers, Gray, Grayson, Grouby, Hall, Harvey, Holley, Johnson (R.G.), Laird, Lauderdale, Mitchell, Nicholson, Onderdonk, Parker, Payne, Poole, Pratt, Preuitt, Rains, Richardson, Sasser, Smith, Trammell, Turnham, Warren, White (F) and White (G).

—45

*Nays:*

**Reps.:** Albright, Black, Blake, Bowling, Box, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carothers, Clark (D), Clark (J), Clark (W), Coleman, Davis, Escott, Gaston, Goodwin, Harper, Hettinger, Holmes, Hooper, Horn, Johnson (Roy), Junkins, Kvalheim, Lindsey, McDowell, McMillan, McNair, Marietta, Martin, Melton, Moore, Newman, Penry, Perdue, Reed, Rogers, Seibels, Spratt, Starkey, Starr, Thomas and Zoghby.

—46

#### MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Rains to suspend the rules in order to call for a roll call vote taken viva voce on the bill, S. 76 as amended, was lost.

Yeas 42; Nays 44.

*Yeas:*

**Reps.:** Adams, Bachus, Beers, Blakeney, Bowling, Brakefield, Britnell, Brooks, Browder, Burke, Carter, Clark (W), Cosby, Crow, Dutton, Faulk, Ford, Gray, Grayson, Grouby, Harvey, Hettinger, Holley, Johnson (R.G.), Laird, Lauderdale, McKee, Nicholson, Onderdonk, Payne, Poole, Pratt, Preuitt, Rains, Richardson, Sasser, Smith, Trammell, Turnham, Warren, White (F) and White (G).

—42

*Nays:*

**Reps.:** Albright, Blake, Boles, Bryant, Bugg, Buskey (James), Buskey

(John), Campbell, Carothers, Clark (D), Clark (J), Coburn, Coleman, Davis, Gaston, Goodwin, Harper, Holmes, Hooper, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lindsey, McDowell, McMillan, McNair, Marietta, Martin, Melton, Mikell, Newman, Parker, Penry, Perdue, Rogers, Seibels, Spratt, Starkey, Starr, Thomas, White (L) and Zoghby.

—44

### MOTION TO POSTPONE TABLED

On motion of Rep. Johnson (Roy), the motion offered by Rep. Payne to postpone further consideration of the bill, S. 76 as amended, to the twenty-ninth legislative day, was tabled.

Yeas 52; Nays 39.

#### Yeas:

Reps.: Albright, Bachus, Black, Blake, Boles, Bowling, Box, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carothers, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Davis, Escott, Fuller, Gaston, Goodwin, Hall, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Lindsey, McDowell, McMillan, McNair, Marietta, Martin, Melton, Moore, Newman, Perdue, Richardson, Rogers, Seibels, Spratt, Starkey, Starr, Thomas, White (L) and Zoghby.

—52

#### Nays:

Reps.: Adams, Beers, Biddle, Blakeney, Brakefield, Britnell, Brooks, Browder, Burke, Butler, Cosby, Crow, Dutton, Faulk, Flowers, Ford, Grayson, Grouby, Harvey, Holley, Laird, Lauderdale, McKee, Mathis, Nicholson, Onderdonk, Parker, Payne, Poole, Pratt, Preuitt, Rains, Rice, Sasser, Smith, Trammell, Turnham, Warren and White (G).

—39

And the bill, S. 76 as amended, was read a third time at length and passed.

Yeas 45; Nays 44.

#### Yeas:

Reps.: Albright, Boles, Bowling, Box, Bryant, Buskey (James), Buskey (John), Campbell, Carothers, Clark (D), Clark (J), Coleman, Davis, Escott, Fuller, Gaston, Goodwin, Harper, Hettinger, Holmes, Hooper, Horn, Johnson (Roy), Kennedy, Kvalheim, Lindsey, McDowell, McMillan, McNair, Marietta, Martin, Melton, Moore, Newman, Penry, Perdue, Reed, Rogers, Seibels, Spratt, Starkey, Starr, Thomas, White (L) and Zoghby.

—45

#### Nays:

Mr. Speaker, Adams, Bachus, Beers, Blake, Blakeney, Brakefield, Britnell, Brooks, Browder, Burke, Butler, Carter, Clark (W), Cosby, Crow, Dutton, Faulk, Flowers, Grayson, Grouby, Harvey, Holley, Laird, Lauderdale, McKee, Mathis, Mitchell, Nicholson, Onderdonk, Parker, Payne, Poole, Pratt, Preuitt, Rains, Rice, Richardson, Sasser, Smith, Trammell, Turnham, Warren and White (G).

—44

MOTION TO ADJOURN LOST

The motion offered by Rep. Holmes that the House adjourn until 11:00 o'clock a.m., Thursday, May 10, 1984, was lost.

Yeas 41; Nays 46.

*Yeas:*

Mr. Speaker, Adams, Biddle, Black, Blake, Boles, Brooks, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Coleman, Crow, Ford, Goodwin, Gray, Hammett, Holmes, Johnson (Roy), McMillan, McNair, Marietta, Martin, Melton, Moore, Newman, Parker, Penry, Rains, Richardson, Sasser, Seibels, Starkey, Trammell and Turner.

—41

*Nays:*

Reps.: Albright, Bachus, Beers, Blakeney, Box, Britnell, Campbell, Clark (W), Cosby, Faulk, Flowers, Gaston, Grayson, Grouby, Hall, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Junkins, Kvalheim, Laird, Lauderdale, McKee, Mathis, Mikell, Nicholson, Onderdonk, Payne, Poole, Pratt, Preuitt, Rice, Rogers, Smith, Starr, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—46

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the Bill:

S. 86. To provide for court ordered continuing income withholding by employers as a means of child support enforcement; to provide that such order shall be included as a part of any original judgment or decree for the payment of child support; to provide that such order may be entered after notice and a hearing as a post judgment remedy for the enforcement of delinquent child support amounts in addition to enforcing continuing, prospective child support obligations; to provide for the content of orders entered pursuant to this Act; to provide that income withholding orders shall be binding upon present and successive employers; to provide for the service of orders entered pursuant to this Act upon the employer; to provide for the modification or termination of income withholding orders; to provide for the collection of certain fees for the filing of a petition for an income withholding order and for the collection of certain service fees; to provide that an income withholding order for child support shall take precedence over any other notice of garnishment; to provide that no employer may discharge or refuse to hire a person who is the subject of an income withholding order; to provide that any employer who refuses to comply with the order may be deemed to be in contempt of court; and further to specifically repeal Sections 6-6-490 through 6-6-493, Code of Alabama 1975, relating to garnishments to enforce child support.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Senators: Cooley, Parsons, and Aldridge.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Rep. Johnson (Roy), the House acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 86.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Boles, Bowling, Box, Britnell, Brooks, Browder, Bryant, Burke, Buskey (John), Butler, Campbell, Carothers, Clark (W), Cosby, Crow, Davis, Dutton, Faulk, Ford, Fuller, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Newman, Nicholson, Penry, Poole, Rains, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starr, Trammell, Turner, Venable, White (F), White (G), White (L) and Zoghby.

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And the Speaker named as Committee on Conference on the part of the House, Reps. Boles, Campbell and Albright.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Senators Cabaniss, Dixon, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Langford, Little, Menton, Mitchem, Parsons, Pearson, Sanders, Smith (B), Smith (J), Strong, and Teague:

S. J. R. 229. COMMENDING MR. WILLIAM H. (ZEKE) KINBROUGH, DISTINGUISHED ALABAMA EDUCATOR.

Also:

By Senator Dixon:

S. J. R. 230. COMMENDING ST. JOHN'S EPISCOPAL CHURCH, MONTGOMERY, ALABAMA, ON THE OCCASION OF ITS SESQUICENTENNIAL FOR ITS OUTSTANDING CONTRIBUTIONS TO THE CITY AND STATE.

Also:

By Senator Foshee:

S. J. R. 231. COMMENDING COLUMBIA GENERAL HOSPITAL, ANDALUSIA, ALABAMA.

McDOWELL LEE,  
Secretary.



SENATE MESSAGE

On motion of Rep. Holmes, the rules were suspended and the House concurred and adopted the resolution, S. J. R. 229, the title of which is set out in the above and foregoing Message from the Senate.

On motion of Rep. Starr, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 230, the title of which is set out in the above and foregoing Message from the Senate.

On motion of Rep. Holley, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 231, the title of which is set out in the above and foregoing Message from the Senate.

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Warren, the rules were suspended in order to take up all local bills after Senate messages were received.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Cooley:

S. J. R. 242. CREATING THE ALABAMA INTERNATIONAL TRADE PROMOTION OVERSIGHT COMMITTEE.

WHEREAS, the Legislature of the State of Alabama recognizes the great importance of export trade to the growth of the economy of Alabama; and

WHEREAS, the economic recovery of Alabama business and agriculture is closely tied to the increase of the exportation of Alabama goods and agricultural products overseas; and

WHEREAS, currently Alabama ranks 27th in the U.S. in value of exports; and

WHEREAS, the Governor's Office, the Alabama Development Office, the Alabama Foreign Trade Relations Commission and the International Centers at the University of Alabama and the University of South Alabama are actively engaged in trade promotion; and

WHEREAS, it is necessary for Alabama to study, identify and exploit overseas markets actively as is being done by our sister states in the Southeast; and

WHEREAS, the Legislature of the State of Alabama desires to be better informed about Alabama's trade promotion efforts, most of which are supported by public funds; and

WHEREAS, the Legislature of the State of Alabama deems it necessary to study the need for legislation which will enhance the export climate for Alabama business and agriculture; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of the State of Alabama does hereby establish the Alabama International Trade Promotion Oversight Committee to investigate the condition of Alabama's trade promotion effort and to seek ways by which to improve the volume and value of

goods and services exported from the state. The committee shall report its findings and suggestions not later than the 10th legislative day of the 1985 Regular Legislative Session.

BE IT FURTHER RESOLVED, That the Legislative Oversight Committee hereby created shall consist of three members of the Senate appointed by the Lieutenant Governor and three members of the House appointed by the Speaker. The Committee shall select from among its number a chairman and shall meet at the call of its chairman.

Upon request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. Each legislative member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses incurred for each day he attends a meeting of the committee when the Legislature is not in session or when the Legislature is in recess without pay. Such sums shall be paid out of any funds appropriated to the use of the Legislature, on warrants drawn on the state comptroller upon requisition signed by the committee's chairman; provided, however, the total of such sums shall not exceed \$7,000.00.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

The resolution, S. J. R. 242, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senators Teague and Denton:

S. J. R. 236. DESIGNATING THE WEEK BEGINNING MAY 6, 1984, AS "CORRECTIONAL OFFICERS WEEK", TO RECOGNIZE THE DEDICATION AND PROFESSIONALISM EXPRESSED BY ALABAMA CORRECTIONAL OFFICERS.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 236, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Little:

S. J. R. 235. MOURNING THE DEATH OF MR. JOHN HERBERT ORR OF OPELIKA, ALABAMA.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 235, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

S. J. R. 224. CREATING THE CALHOUN COUNTY ELECTED AND APPOINTED OFFICIALS SALARY COMMISSION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there be and hereby is established in Calhoun County, The Calhoun County Elected and Appointed Officials Salary Commission, hereinafter referred to as "The Commission."

The Commission shall be composed of nine (9) members: two members from government; five members from business including: one lawyer, one proprietor, one salary administrator, one personnel manager, one editor of a newspaper published in Calhoun County; and one educator and one retired person. The Commission members shall be appointed in the following manner: five by the city governing bodies; three by the Calhoun County governing body, and one by the Calhoun County Legislative Delegation.

The chairman shall be selected by the membership and he shall preside over all meetings. The Commission shall make its own rules for the conduct of its business. The initial meeting shall be held within thirty days after the last appointment is made and thereafter at the call of the chairman and within the rules of the Commission. Members of the Commission shall serve without compensation and their terms shall expire on January 1, 1986, at which time the Commission members shall stand discharged from any further duties.

The general purpose of the Commission is to provide information and recommendations regarding salaries and compensation of all elected and appointed city and county officials within Calhoun County. The specific objectives of the Commission shall be prescribed by the Calhoun County Legislative Delegation.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 224, set out in the above and foregoing Message from the Senate.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senators Ellis, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Langford, Little, Menton, Mitchem, Parsons, Pearson, Sanders, Smith (B), Smith (J), Strong, and Teague:

S. J. R. 247. COMMENDING MR. HALL W. THOMPSON OF BIRMINGHAM AND HIS ALABAMA SHOWPLACE—SHOAL CREEK.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 247, the title of which is set out in the above and foregoing Message from the Senate.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Senator Strong:

S. J. R. 233. COMMENDING THOMASVILLE HOSPITAL, THOMASVILLE, ALABAMA.

Also:

By Senators Corbett, Covington, Bedford, Aldridge, Amari, Bailey, Barron, Bedsole, Bennett, Bishop, Cabaniss, Cooley, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Langford, Little, Menton, Mitchem, Parsons, Pearson, Sanders, Smith (B), Smith (J), Strong, and Teague:

S. J. R. 234. RECOGNIZING DOCTOR JAMES H. SAMMONS, EXECUTIVE VICE-PRESIDENT, AMERICAN MEDICAL ASSOCIATION.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolutions, S. J. R. 233 and S. J. R. 234, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Hand:

S. J. R. 223. NAMING THE BRIDGE IN BALDWIN COUNTY OVER THE CANAL BETWEEN LITTLE LAGOON AND THE GULF OF MEXICO, ON ALABAMA HIGHWAY 182, THE "LEE CALLAWAY BRIDGE."

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 223, the title of which is set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senators Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Langford, Little, Menton, Mitchem, Parsons, Pearson, Sanders, Smith (B), Smith (J), Strong, and Teague:

S. J. R. 232. COMMEMORATING THE 100TH ANNIVERSARY OF THE BIRTH OF HARRY S. TRUMAN, 33rd PRESIDENT OF THE UNITED STATES OF AMERICA.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 232, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE GOVERNOR

To The Alabama House of Representatives  
State Capitol  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I transmit herewith a message from Governor George C. Wallace, returning to you, the house from which it originated, House Bill No. 215, without the Governor's signature and approval, but with the following suggested Executive Amendment which, if approved by you will remove my objections to this Bill.

DONE this 8th day of May, 1984.

Respectfully submitted,

ELVIN L. STANTON,  
Executive Secretary.

MESSAGE FROM THE GOVERNOR

To The Alabama House of Representatives  
State Capitol  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I am returning to you, the body in which it originated, House Bill No. 215, without my signature and approval but with the following Executive Amendment:

This Bill contains a technical error which I fear would later invalidate the Bill or at least make it subject to litigation. In addition, this Bill contains language which renders the legislative intent, with regard to timing and implementation date as unclear and questionable, again, subjecting the Bill to improper application, and future litigation. I offer the following corrected Executive Amendment.

EXECUTIVE AMENDMENT TO H. 215.

On page 6 of 9, subparagraph (b), after the word "entire" delete the word "population" and insert the word "production".

On page 6 of said Bill, subparagraph (a), line 13 after the words and signs "development wells," delete the following phrase "provided that said discovery and development wells were permitted by the State Oil and Gas Board of Alabama after July 1, 1984," and insert the following phrase "provided, that all production to receive a six-percent tax rate, which is produced from discovery wells, must be from discovery wells permitted by the State Oil and Gas Board of Alabama after July 1, 1984, and that all production to receive a six-percent tax rate from development wells on which drilling commenced within the required time of completion of a discovery well, which was permitted after July 1, 1984, and said development well must also have been permitted after July 1, 1984."

The adoption of the above foregoing suggested Executive Amendment will correct the content of the said Bill and will remove my objections to this Bill.

DONE this 8th day of May, 1984.

Respectfully,

GEORGE C. WALLACE,  
Governor.

GOVERNOR'S MESSAGE

On motion of Rep. Johnson (Roy), the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 215:

To amend Section 1 of Act No. 83-889, Fourth Special Session of 1983, so as to define "Discovery well", "Development wells", "Onshore well", "Replacement well", "Commenced", "Completion" and "Pool", and to amend Section 2 of Act. No. 83-889, Fourth Special Session of 1983, so as to pro-

vide that all oil and gas produced from onshore discovery wells, all oil and gas produced from onshore development wells on which drilling commenced within four years of the completion date of the discovery well and producing from a depth of 6,000 feet or greater, and all oil and gas produced from onshore development wells on which drilling commenced within two years of the completion date of the discovery well and producing from a depth less than 6,000 feet shall be taxed at a rate of six (6) percent of the gross value of said oil and gas at the point of production for a period of five (5) years from the date production begins from said discovery and development wells, provided that said discovery and development wells were permitted by the State Oil and Gas Board of Alabama after July 1, 1984, and providing further that the six (6) percent tax rate applicable to a discovery well or development well shall be applicable to any replacement well drilled to replace the discovery well or the development well during the six-percent, five-year, tax-rate period for only the remainder of the said tax-rate period.

Said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 78; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Black, Blake, Blakeney, Boles, Bowling, Box, Britnell, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Crow, Davis, Dutton, Escott, Ford, Fuller, Gaston, Goodwin, Gray, Hammett, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson, Roy, Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Penry, Poole, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

—78

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Seibels, the rules were suspended in order to take up out of order the bill, H. 322.

And the bill:

H. 322. To amend Section 13A-11-14, Code of Alabama 1975, relating to the crime of cruelty to animals, so as to make it a crime to kill or injure without good cause any domestic animal, not just an animal belonging to another.

Was read a third time at length and passed.

Yeas 74; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Britnell, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Cosby, Crow, Davis, Flowers, Fuller, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Nicholson, Penry, Poole, Preuitt, Rains, Rice, Richardson, Rogers, Sasser, Seibels,

Smith, Spratt, Starr, Thomas, Trammell, Warren, White (G), White (L) and Zoghby.

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### RULE SUSPENDED

On motion of Rep. Seibels, Rule 4(4) was suspended to permit the bill, H. 322, being other than a local or general bill of local application, to be sent to the Senate.

### MOTION TO INDEFINITELY POSTPONE ADOPTED

On motion of Rep. Johnson (Roy), all House bills remaining on the Calendar at the end of the day, will be indefinitely postponed.

### BILLS ON THIRD READING

And the bill:

H. 865. (With Substitute): Relating to Madison County; prescribing salaries, supplements and expense allowances for certain county officers.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 4, said committee substitute being as follows:

### A BILL TO BE ENTITLED AN ACT

Relating to Madison County; prescribing salaries, supplements and expense allowances for certain county officers.

Be It Enacted by the Legislature of Alabama:

Section 1. On January 21, 1985, the salaries, supplements and expense allowances of certain officers of Madison County, Alabama, shall be as follows:

- a—The county coroner shall receive an annual salary of \$8,400.00;
- b—The chairman of the county commission, which office shall be full-time, shall receive an annual salary of \$32,500.00; in addition to such salary, said chairman shall receive an annual expense allowance of \$3,000.00;
- c—Each associate county commissioner shall receive an annual salary of \$25,000.00; in addition to such salary, such commissioners shall each receive an annual expense allowance of \$2,400.00;
- d—The judge of probate shall receive an annual salary of \$32,500.00; in addition to such salary, said judge shall receive the same expense allowance as now provided by law;
- e—The sheriff shall receive an annual salary of \$32,500.00; in addition to such salary, the sheriff shall receive an annual expense allowance of \$2,400.00;
- f—The tax assessor and the tax collector shall each receive an annual salary of \$29,500.00; said tax officials shall continue to receive expense allowances as now provided by law; and



g—The circuit clerk shall receive an annual county salary supplement of \$5,000.00.

The salaries, salary supplements and expense allowances prescribed herein shall be paid in equal monthly installments from the county general fund on warrants processed in the usual manner and shall be in lieu of any other annual salaries, salary supplements and expense allowances heretofore provided by law for such county officers.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 35; Nays 0.

Yeas:

Mr. Speaker, Albright, Black, Blakeney, Boles, Bowling, Box, Britnell, Brooks, Butler, Carter, Clark (W), Coburn, Crow, Gaston, Grouby, Hammett, Harper, Hettinger, Hooper, Horn, Kennedy, Lauderdale, Marietta, Moore, Nicholson, Rains, Seibels, Spratt, Thomas, Trammell, Turner, Warren, White (L) and Zoghby.

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#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the Bill, H. 865, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 34; Nays 1.

Yeas:

Mr. Speaker, Beers, Blakeney, Boles, Box, Britnell, Brooks, Burke, Butler, Carter, Clark (W), Coleman, Gaston, Goodwin, Grouby, Hammett, Harper, Hettinger, Hooper, Horn, Kennedy, Lauderdale, Marietta, Moore, Nicholson, Rains, Reed, Seibels, Smith, Spratt, Thomas, Trammell, Turner and Zoghby.

—34

Nay: Rep. Hall.

—1

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 893. To mend the title and sections 1, 2, 5, 6, 8, 9, 10, 11, 12, 13 and 15 of Act No. 82-693, H. 57 of the Second Special Session of 1982 (Acts 1982, p. 144) which created and established the Shelby County Planning Commission, so as to provide further for the membership, organization, authority and function of the commission and to specifically repeal section 16 of said act which provided for ratification, validation and approval of Act No. 86 approved September 2, 1965 and actions taken by the Shelby County Planning Commission, officials and electors of the county as of the date they were taken.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 40; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Blake, Blakeney, Bowling, Box, Britnell, Brooks, Browder, Bryant, Buskey (John), Clark (D), Clark (W), Coburn, Coleman, Faulk, Gaston, Goodwin, Grouby, Hammett, Harper, Hettinger, Hooper, Horn, Kennedy, Kvalheim, Lauderdale, Marietta, Martin, Nicholson, Parker, Poole, Rogers, Smith, Spratt, Starr, Thomas, Venable, Warren and Zoghby.

—40

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 817. Relating to the County and City of Tuscaloosa, to provide that the residents of school district Number 3, who are currently served by the municipal board of education, shall be served by the county board of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 43; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Blake, Blakeney, Bowling, Box, Britnell, Brooks, Browder, Burke, Buskey (James), Butler, Clark (D), Clark (W), Coburn, Crow, Faulk, Gaston, Goodwin, Grouby, Hettinger, Holley, Hooper, Horn, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Lindsey, Marietta, Martin, Moore, Nicholson, Poole, Rogers, Smith, Spratt, Thomas, Turner, Venable, Warren, White (G) and Zoghby.

—43

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 949. (With Amendment): Relating to Shelby County; to require the installation and maintenance of an improved system of recording and indexing documents affecting the title to property and other documents recorded in the office of the Judge of Probate; to provide the collection and disposition of a special index fee; and to provide that said system shall constitute official and permanent records in Shelby County.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend H. 949, page 6, line 3 after the word "System" by striking the following:

~~and Any-Other Equipment~~

And beginning on page 6, line 34, after the words "and/or" by striking the following:

~~other equipment,~~

Further amend the bill, page 7, immediately following line 5, by inserting a new section 8 and renumbering remaining sections accordingly. New Section 8 to read as follows:

Section 8. Any amount over \$50,000.00 annually, collected by the Judge of Probate shall be deposited into the General Fund of the county.

And the amendment was adopted.

Yeas 38; Nays 0.

Yeas:

Mr. Speaker, Blake, Blakeney, Boles, Bowling, Box, Britnell, Brooks, Browder, Burke, Buskey (James), Butler, Clark (D), Clark (W), Coburn, Crow, Faulk, Gaston, Goodwin, Grouby, Hammett, Horn, Kvalheim, Lauderdale, Lindsey, McMillan, Moore, Nicholson, Poole, Rains, Spratt, Starr, Thomas, Trammell, Venable, Warren, White (G) and Zoghby.

—38

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 949, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 47; Nays 0.

Yeas:

Mr. Speaker, Blake, Blakeney, Boles, Bowling, Box, Britnell, Brooks, Browder, Burke, Buskey (James), Butler, Campbell, Clark (D), Clark (W), Coburn, Crow, Faulk, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Hettinger, Hooper, Horn, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Moore, Nicholson, Penry, Poole, Spratt,

Starr, Tanner, Thomas, Trammell, Venable, Warren, White (G) and Zoghby.

—47

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 958. Relating to Etowah County; to provide for the filing for record and the preservation of all orders and decrees made and entered by any judge of the circuit court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 40; Nays 0.

Yeas:

Mr. Speaker, Albright, Blake, Bowling, Box, Britnell, Brooks, Browder, Bugg, Burke, Buskey (James), Clark (D), Clark (W), Coburn, Cosby, Faulk, Gaston, Grouby, Hammett, Hettinger, Holmes, Hooper, Horn, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Nicholson, Penry, Poole, Rogers, Spratt, Starr, Thomas, Trammell, Turnham, Warren, White (G) and Zoghby.

—40

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 971. (With Amendment): To amend Section 3 of Act No. 983, H. 1019, of the 1971 Regular Session (Acts 1971, P. 1759), which further regulates the possession, sale, storage, transportation, use and consumption of alcoholic beverages in Elmore County, so as to provide further for such regulation by deleting the requirement of a certain special retail license for such beverages and to provide that such deletion shall be retroactive to September 7, 1971.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend H. B. 971, page 1, immediately after line 21 by adding a new Section 1 and renumbering the following sections accordingly. The new section to read as following: Section 1. Section 2(b) of Act No. 983, H. 1019 of the 1971 Regular Session (Acts 1971, p. 1759), is hereby deleted.

And the amendment was adopted.

Yeas 45; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Blake, Boles, Bowling, Box, Britnell, Brooks, Browder, Burke, Buskey (James), Butler, Clark (D), Clark (W), Cosby, Faulk, Goodwin, Grouby, Hammett, Holmes, Hooper, Horn, Kennedy, Lauderdale, Lindsey, McMillan, Marietta, Mathis, Mikell, Nicholson, Parker, Penry, Poole, Rice, Rogers, Smith, Spratt, Starr, Thomas, Trammell, Turnham, Venable, Warren, White (G) and Zoghby.

—45

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 971, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 46; Nays 0.

*Yeas:*

Mr. Speaker, Beers, Biddle, Blake, Boles, Bowling, Box, Britnell, Brooks, Browder, Burke, Buskey (James), Butler, Clark (D), Clark (W), Coburn, Cosby, Faulk, Goodwin, Grouby, Hammett, Hettinger, Holmes, Hooper, Horn, Kennedy, Lauderdale, Lindsey, McMillan, Marietta, Mathis, Mikell, Nicholson, Parker, Poole, Rice, Rogers, Spratt, Starr, Thomas, Trammell, Turnham, Venable, Warren, White (G) and Zoghby.

—46

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 972. Relating to Elmore County; to amend Section 2 of Act No. 388, H. 979, 1978 Regular Session (Acts 1978, p. 375), relating to compensation of the deputies of the sheriff's department, so as to provide further for such compensation and to provide for retroactive effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 41; Nays 0.

*Yeas:*

Mr. Speaker, Blake, Boles, Box, Britnell, Brooks, Browder, Burke, Buskey (James), Butler, Clark (D), Clark (W), Cosby, Faulk, Gaston, Goodwin, Grouby, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Mikell, Nicholson, Penry, Rogers, Spratt, Starr, Thomas, Trammell, Turnham, Venable, Warren, White (G) and Zoghby.

—41

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 973. Relating to Elmore County; to provide for the election of members of the county commission, to define new districts and to repeal certain conflicting law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Biddle, Boles, Box, Britnell, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Campbell, Clark (D), Clark (W), Coleman, Cosby, Crow, Faulk, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell, Moore, Nicholson, Parker, Payne, Penry, Poole, Richardson, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G) and Zoghby.

—62

And the bill:

H. 974. Relating to Elmore County; providing further for the compensation, payable from the county treasury, for members of the county commission and an effective date therefor; specifically repealing Act No. 1779, H. 1732 of the 1971 Regular Session (Acts 1971, p. 2942) and Section 2 of Act No. 235, H. 945 of the 1975 Regular Session (Acts 1975, p. 761), relating to salary and expense allowances for members of the commission, and all laws conflicting herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Biddle, Boles, Box, Britnell, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Campbell, Clark (D), Clark (W), Coleman, Cosby, Crow, Faulk, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell, Moore, Nicholson, Parker, Payne, Penry, Poole, Richardson, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G) and Zoghby.

—62

And the bill:

H. 975. Relating to Elmore County; providing further for the compen-

sation of the members of the board of registrars and to provide for retroactive effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Biddle, Boles, Box, Britnell, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Campbell, Clark (D), Clark (W), Coleman, Cosby, Crow, Faulk, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell, Moore, Nicholson, Parker, Payne, Penry, Poole, Richardson, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G) and Zoghby.

—62

And the bill:

H. 976. Relating to Elmore County; to authorize the county commission to pay a mileage allowance to the license inspector not to exceed the allowance paid other county employees, retroactively effective to January 1, 1978. Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Biddle, Boles, Box, Britnell, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Campbell, Clark (D), Clark (W), Coleman, Cosby, Crow, Faulk, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell, Moore, Nicholson, Parker, Payne, Penry, Poole, Richardson, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G) and Zoghby.

—62

And the bill:

H. 977. Relating to Marshall County; to further regulate the appropriation and distribution of Tennessee Valley Authority funds paid in-lieu-of-taxes; making certain provisions retroactive to April 1, 1984; and specifically providing that the provisions of this act shall be cumulative.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Biddle, Boles, Box, Britnell, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Campbell, Clark (D), Clark (W), Coleman, Cosby, Crow, Faulk, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell,

Moore, Nicholson, Parker, Payne, Penry, Poole, Richardson, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G) and Zoghby.

—62

And the bill:

H. 979. Relating to Colbert County; providing further for the redemption of real property and lands subject to delinquent tax sales, pursuant to Title 40, Chapter 10, Code of Alabama 1975, so as to transfer to and authorize the county tax collector to perform and have the responsibilities and powers therein prescribed for the county treasurer. Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Biddle, Boles, Box, Britnell, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Campbell, Clark (D), Clark (W), Coleman, Cosby, Crow, Faulk, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell, Moore, Nicholson, Parker, Payne, Penry, Poole, Richardson, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G) and Zoghby.

—62

And the bill:

H. 982. Relating to Houston County; amending Act No. 718, H. 1513, 1971 Regular Session, which provides for the compensation of the board of equalization, so as to provide further for said compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Biddle, Boles, Box, Britnell, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Campbell, Clark (D), Clark (W), Coleman, Cosby, Crow, Faulk, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell, Moore, Nicholson, Parker, Payne, Penry, Poole, Richardson, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G) and Zoghby.

—62

And the bill:

H. 984. Relating to the election of County Commissioners in Conecuh County; to provide for the redistricting and reapportionment of the electors in Conecuh County; to provide for dividing Conecuh County into four (4) single-member Commissioner's Districts in 1984, and into five (5) single-member Commissioner's Districts beginning in 1988; to provide for the elec-



tion of a Commissioner in each of said districts; to provide for the tenure of office of the Commissioners; to provide the compensation of the Commissioners so elected; to provide for the division and assignment of the voters in all the Precincts and Voting Boxes in the county; to provide methods and procedures for effecting the assignment of the voters; to provide for the repeal of Act No. 2284 Regular Session of the 1971 Legislature and other laws inconsistent herewith; to provide for the payment of all expenses in connection with passage of this legislation and the assignment of voters in the proper Precincts and Voting Boxes in the county; and to provide that the provisions of this Act shall become effective immediately upon its passage.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Biddle, Boles, Box, Britnell, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Campbell, Clark (D), Clark (W), Coleman, Cosby, Crow, Faulk, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell, Moore, Nicholson, Parker, Payne, Penry, Poole, Richardson, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G) and Zoghby.

—62

And the bill:

H. 985. To amend the title and Section 1 of Act No. 384, H. 829, Regular Session 1953 (Acts 1953, p. 455), which prohibits two members of the board of education of Conecuh County from residing in the same beat or precinct, so as to provide for two at-large appointed seats on the board for two years only, from 1984 to 1986, and to provide for the election of all school board members from five single-member districts beginning in 1986, with their terms running concurrently.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Biddle, Boles, Box, Britnell, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Campbell, Clark (D), Clark (W), Coleman, Cosby, Crow, Faulk, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell, Moore, Nicholson, Parker, Payne, Penry, Poole, Richardson, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G) and Zoghby.

—62

And the bill:

H. 981. Relating to Baldwin County and the term of office for county commissioners; and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Biddle, Boles, Box, Britnell, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Campbell, Clark (D), Clark (W), Coleman, Cosby, Crow, Faulk, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell, Moore, Nicholson, Parker, Payne, Penry, Poole, Richardson, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G) and Zoghyby.

—62

### NOTICE IN WRITING

Rep. Brooks filed the following Notice in Writing:

#### NOTICE IN WRITING OF MOTION TO AMEND RULES

Notice is hereby given in accordance with the House Rules that on the next legislative day a motion will be made to amend House Rule No. 30 as follows:

Rule 30. When taking the yeas and nays the electrical roll call system may be used, and when so used, it shall have the same force and effect as a roll call taken viva voce.

When the House is ready to vote upon any question requiring a roll call and the vote is to be taken by the electrical roll call system, the Speaker shall announce: "The question is on (designating the matter to be voted upon). All in favor of such question shall vote 'yea,' all opposed, 'nay.' The House will now proceed to vote."

The Clerk immediately shall start the vote-recording equipment and when every member has voted, he shall lock the machine, record the vote, and advise the Speaker of the result; the Speaker shall announce the vote to the House.

Any member shall be privileged to vote or change his vote after the vote-recording equipment has started to operate, by rising in his seat and announcing his vote before the result of the vote has been announced by the Speaker.

No member shall vote for another member nor shall any person not a member cast a vote for a member unless the absent member has left written instructions on how his or her vote should be cast. In addition to such penalties as may be prescribed by law, any member who votes or attempts to vote for another member without written instructions of said member may be punished in such a manner as the House may determine. If a person not a member votes or attempts to vote for any member without written instructions of said member, he shall be barred from the floor of the House for the remainder of the session, and he may be punished further in such manner as the House may deem proper.

Any vote cast in violation of this rule shall at the request of any member, be void and shall be subtracted from the vote totals on the question

presented to the House. Such request must be brought to the attention of the Speaker before a subsequent vote on any matter is had.

#### MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Box to suspend the rules in order to take up out of order the bill, H. 921, was lost, lacking a four-fifths vote.

Yeas 5; Nays 3.

Yeas: Box, Gaston, Kvalheim, Marietta and Zoghby. —5

Nays: Reps. Buskey (James), Clark (W) and Kennedy. —3

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. White (F), the rules were suspended in order to take up out of order the bill, H. 978.

And the bill:

H. 978. (With Amendment): To amend Section 41-5-19 of the Code of Alabama 1975 so as to further provide that members of the Legislative Committee on Public Accounts shall receive their legislative pay and expense allowance and mileage for each meeting of the Committee.

Was taken up.

The question was then on the adoption of the committee amendment reported by the Standing Committee on Ways and Means said committee amendment being as follows:

Amend House Bill 978 on page 1 by striking lines 35-38 in their entirety and inserting in lieu thereof the following: "majority of the committee or the Governor. ~~The members of the committee shall not receive any compensation for their attendance at meetings, but each shall be reimbursed for his expenses in accordance with Article 2 of Chapter 7 of Title 36 of this Code. The members of the committee shall receive their legislative pay and expense allowance for each day incurred ad mileage in accordance with Article 2 of Chapter 7 of Title 36 of this Code for attendance at meetings.~~ Such expenses shall be paid from"

#### AMENDMENT TABLED

On motion of Rep. White (F), the amendment reported by the Standing Committee on Ways and Means, was tabled.

Yeas 9; Nays 0.

Yeas:

Reps.: Box, Brooks, Clark (W), Goodwin, Kennedy, Martin, Turner, Turnham and Zoghby.

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

## AMENDMENT OFFERED

Rep. White (F), offered the following amendment to the bill, H. 978:

Amend House Bill 978 in Section 1, page 1 on lines 35 through 38 by deleting the sentence which reads "~~The members of the committee shall receive their legislative pay and expense allowance for each day incurred and mileage in accordance with article 2 of chapter 7 of Title 36 of this Code for attendance at meetings.~~" and inserting in lieu thereof the following sentence:

The members of the committee shall receive their legislative pay and expense allowance for each day incurred and mileage in accordance with Article 2 of Chapter 7 of Title 36 of this Code for attendance at meetings.

## AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 18; Nays 0.

Yeas:

Reps.: Albright, Blakeney, Box, Brooks, Buskey (James), Clark (W), Faulk, Gaston, Hettinger, Kennedy, Lauderdale, McMillan, Penry, Rain, Starr, Turner, Turnham and Zoghby.

—18

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 978, as thus amended, was read a third time at length and passed.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker, Adams, Biddle, Boles, Box, Britnell, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Campbell, Clark (D), Clark (W), Coleman, Cosby, Crow, Faulk, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holmes, Hooper, Horn, Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell, Moore, Nicholson, Parker, Payne, Penry, Poole, Richardson, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G) and Zoghby.

—62

## RULE SUSPENDED

On motion of Rep. White (F), Rule 4(4) was suspended to permit the

bill, H. 978, being other than a local or general bill of local application, to be sent to the Senate.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Horn, the rules were suspended in order to take up out of order the bill, H. 788.

And the bill:

H. 788. Relating to the City of Birmingham in Jefferson County; to further amend Section 4.06(9) of Act No. 452, of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, pp. 1004, et seq.), as amended, also known as the Mayor-Council Act of 1955, so as to provide, in addition to staff otherwise provided by law, for such staff members as the Mayor may deem necessary not subject to any merit system, to provide that the salaries of such staff assistants shall be determined by the Mayor, and to prohibit members of the Mayor's staff from running for elected office while serving on said staff.

Was read a third time at length and passed.

Yeas 15; Nays 1.

Yeas:

Reps.: Blakeney, Buskey (James), Clark (W), Gray, Horn, Mathis, Pratt, Rice, Rogers, Spratt, Thomas, Trammell, Turner, Turnham and Zoghby.

—15

Nay: Rep. Payne.

—1

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

#### RULE SUSPENDED

On motion of Rep. Horn, Rule 4(4) was suspended to permit the bill, H. 788, being other than a local or general bill of local application, to be sent to the Senate.

#### BILLS ON SECOND READING

Rep. Coburn, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar to-wit:

S. 72. To amend Section 36-7-40 of the Code of Alabama 1975 so as to further provide for the reimbursement of state employees for moving expenses.

Rep. Coburn, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

S. 315. (With Amendments): To re-open the Retirement Systems of

Alabama in order to allow active and contributing members and former such members with vested retirement benefits to claim and purchase credit for military service and to provide for its termination.

Rep. Coburn, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 380. To allow certain foreign corporations which qualify for S corporation treatment under the Internal Revenue Code to pass the tax treatment through to shareholders as provided by the Internal Revenue Code instead of being taxed as provided by section 40-18-31, Code of Alabama 1975, on the entire net income of the corporation; and to provide for the determination of the amount of taxable income for such corporations.

Rep. Campbell, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and the were severally read a second time and placed on the Calendar, to-wit:

S. 404. To provide that all probate judges shall not receive for record, or permit the recording of, any instrument, conveying title to, or any interest in, real property that does not have legibly printed, typewritten or stamped thereon the grantee's name and latest complete address.

S. 479. To repeal Section 12-13-52, Code of Alabama 1975, which section fines probate judges for the appointment of certain persons as guardian ad litem.

Rep. Blake, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 475. To provide for a state historic park and landmarks district in Mobile County to be known as "Africatown, U.S.A. State Historic Park and Landmarks District"; to provide for a public corporation for the purpose of developing, improving and maintaining such park and district; to prescribe the boundaries of such park and district and to authorize the Governor to enter into certain agreements with the progressive league for the development, supervision and maintenance of such park and district.

S. 440. To amend Section 36-1-4.1, Code of Alabama 1975, relating to definitions of charitable organizations for which public officers and employees may authorize contributions through payroll deductions, so as to provide further therefor.

S. 546. To amend Section 36-26-17, Code Alabama 1975, which relates to state employees' merit system and the method of filling vacancies, so as to exempt the Revenue Department from certain provisions.

S. 537. To amend Section 32-6-6, Code of Alabama 1975, relating to the contents of a driver's license, so as to provide for a standard sized driver's license and nondriver identification card, to levy an additional fee for the issuance of said standardized license and card and to provide for the disbursement of said money.

S. 414. To provide for a guaranteed minimum starting wage or salary for all county law enforcement officers of this state and provide for the enforcement of the provisions of this act.

S. 558. To amend Section 36-29-2, Code of Alabama 1975, which creates the state employees' insurance board, so as to provide further for membership on the board.

S. 476. To amend Section 36-27-23, of the Code of Alabama 1975, relating to the general administration and proper operation of the retirement system of Alabama, so as to increase the number of members of the board of control of such system, and to provide for the election, qualifications and terms of office of the added member.

S. 242. To amend Section 25-5-1, Code of Alabama 1975, relating to definitions for the state workmen's compensation laws (Chapter 5, Title 25, code of Alabama 1975), so as to include within the terms "employee" and "workmen" the employees of Tannehill furnace and foundry commission, so that such employees would be covered by workmen's compensation.

Rep. Biddle, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 392. To allow persons seventeen years of age or older to donate blood without parental permission.

Rep. Grayson, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 235. To amend Sections 16-49-26 and 16-49-27, Code of Alabama 1975, which provide for the meetings and quorum of the Board of Trustees of Alabama Agricultural and Mechanical University, so as to provide further for said meetings and quorum.

Rep. Martin, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 582. To amend Section 11-43-2, Code of Alabama 1975, relating to the election of certain mayors and aldermen, and Section 11-43-80, Code of Alabama 1975, relating to the powers and duties of the mayor, so as to provide that the six-month time requirement may be waived to meet compliance with the Federal Voting Rights Act of 1965.

S. 170. To provide that the governing body of any municipality, with a population of less than 5,000 persons, by resolution duly adopted, may abolish or create a civil service system or other personnel board; to continue all rights, interest and privileges which certain employees have in any civil service or merit system within any such municipality; to prescribe that the provisions of this act shall be construed in pari materia with Section 36-27-6, Code of Alabama 1975, permitting certain governing boards, including municipalities to elect to have its eligible officers and employees participate in the state retirement systems; and to repeal conflicting laws.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Bennett (With Notice and Proof):

S. 559. Relating to Jefferson County; to alter, rearrange and extend the boundaries and corporate limits of the City of Midfield, Alabama, so as to incorporate certain territory as described herein. I hereby certify that the notice & proof is attached to the Bill, S. B. 559 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Hilliard (With Notice and Proof):

S. 564. To authorize Class I municipalities to alter and change water courses and to construct and develop wharves and wharf facilities within a radius of twenty-five miles in order to maximize the ability of municipalities to promote the use of river and water transportation to take advantage of the shipping potential made possible by the Tombigbee Waterway, provided that no such facility can be constructed or developed within the police jurisdiction of another municipality without the consent thereof, or in an unincorporated area of any county without the consent of the governing body of such county; to issue general obligation bonds, or to authorize industrial development boards to issue revenue bonds to finance such facilities; to authorize municipalities and counties to contribute funds to such municipalities for construction and operation of such facilities, and to contract for joint construction and operation thereof; to provide an effective date of the Act.

I hereby certify that the notice & proof is attached to the Bill, S. B. 564 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Holmes (With Notice and Proof):

S. 570. Relating to Calhoun County; to extricate certain public officers in said county from the provisions of Section 6-8-40 of the Code of Alabama 1975 which require such officers and officials to subscribe for, take and file certain weekly newspapers.

I hereby certify that the notice & proof is attached to the Bill, S. B. 570 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate were severally read one time and referred to appropriate Standing Committees as follows:

S. 559. Local Legislation No. 2.

S. 564. Local Legislation No. 2.



S. 570. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Sanders (With Notice and Proof):

S. 621. To amend the Title and Section 4 of Act No. 80-572, S. 576 (Acts 1980, p. 885), said act relating to Lowndes County and the additional levy of tax on persons, firms and corporations selling and distributing or delivering malt or brewed beverages to retailers, so as to provide further for the administration of the Juvenile Services Trust Fund Account.

I hereby certify that the notice & proof is attached to the Bill, S. B. 621 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Bennett (With Notice and Proof):

S. 631. To further amend Sections 18 and 20 of an act designated as Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945, pp. 376-400) as heretofore amended, relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a countywide civil service system. To provide for appointment of department heads from all qualified candidates unless the appointing authority shall request the three ranking eligibles only.

I hereby certify that the notice & proof is attached to the Bill, S. B. 631 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Bedford (With Notice and Proof):

S. 632. Relating to the 34th Judicial Circuit; creating the office of public defender and providing for the manner of appointment, the operation and financing of such office; providing such office for the representation and defense of persons accused of crime whom the courts declare indigent; establishing the Public Defender Commission; defining the authority, powers, duties and limitations of said commission and defender; providing for the vacancy of said office of defender; authorizing the taxing and collecting of certain additional court costs in certain courts within said counties for financing the operation of the office of Public Defender and representation of indigents, such revenues to be designated for the Public Defender's fund; continuing the opportunity for lawyers to be appointed to represent such indigents; and requiring that any excess money in the Public Defender Fund be retained by said Fund in order to expand its operation.

I hereby certify that the notice & proof is attached to the Bill, S. B. 632 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Cooley (With Notice and Proof):

S. 633. Relating to the City of Cullman in Cullman County; to validate, in certain cases, annexations heretofore held by the City of Cullman.

I hereby certify that the notice & proof is attached to the Bill, S. B. 633 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Mitchem (With Notice and Proof):

S. 635. Relating to Marshall County; to further regulate the appropriation and distribution of Tennessee Valley Authority funds paid in-lieu-of-taxes; making certain provisions retroactive to April 1, 1984; and specifically providing that the provisions of this act shall be cumulative.

I hereby certify that the notice & proof is attached to the Bill, S. B. 635 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 621. Local Legislation No. 1.

S. 631. Local Legislation No. 2.

S. 632. Local Legislation No. 1.

S. 633. Local Legislation No. 1.

S. 635. Local Legislation No. 1.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Teague (With Notice and Proof):

S. 509. Relating to Coosa County; to provide that all members of the county commission shall serve on a full time basis, effective upon the next term of office of any members; to regulate further the expense allowance of the members of the Coosa County Commission and giving retroactive effect to such expense allowances; and providing automatic termination of such expense allowance.

I hereby certify that the notice & proof is attached to the Bill, S. B. 509 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Figures (With Notice and Proof):

S. 518. Relating to the City of Mobile; amending Section 22 of Act No. 243, H. 278, 1964 First Special Session (Acts 1964, p. 326), relating to the pension and relief system for police and fire department members, so as to allow any member of the system to withdraw from participation at any time.

I hereby certify that the notice & proof is attached to the Bill, S. B. 518 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Barron (With Notice and Proof):

S. 523. To amend Sections 2, 4, 5, 6, and 7 of Act 79-825, S. 640, 1979 Regular Session (Acts 1979, p. 1557) relating to the Jackson County Department of Public Works and to the county engineer so as to provide for the authority of the department and the selection, requirements, functions, powers, privileges, and termination of the county engineer.

I hereby certify that the notice & proof is attached to the Bill, S. B. 523 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Menton (With Notice and Proof):

S. 539. To amend further Section 5 of Act No. 470, H. 952, 1939 Regular Session of the Legislature, (Local Acts 1939, p. 298), as amended by Act No. 684, H. 594 of the 1976 Regular Session (Acts 1976, p. 939), relating to the citizens supervisory committee for the Civil Service System for Mobile County, so as to provide further for such committee and to amend Section 30 of said Act No. 470 so as to provide further for the expense of the personnel department for such system.

I hereby certify that the notice & proof is attached to the Bill, S. B. 539 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Teague (With Notice and Proof):

S. 541. Relating to Coosa County; legalizing the sale of draft or keg beer or malt beverages; and repealing conflicting laws.

I hereby certify that the notice & proof is attached to the Bill, S. B. 541 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate were severally read one time and referred to appropriate Standing Committees as follows:

- S. 509. Local Legislation No. 1.
- S. 518. Local Legislation No. 3.
- S. 523. Local Legislation No. 1.
- S. 539. Local Legislation No. 3.
- S. 541. Local Legislation No. 1.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Cooley (With Notice and Proof):

S. 639. To provide for the filing for record and the preservation of all orders and decrees made and entered by any Judge of the Circuit Court of the 32nd Judicial Circuit.

I hereby certify that the notice & proof is attached to the Bill, S. B. 639 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Bedsole (With Notice and Proof):

S. 640. Relating to Mobile County; establishing the Mobile County Highway and Traffic Safety Advisory Board and describing its composition, authority and duties; establishing the Mobile County Department of Highway and Traffic Safety and describing its authority, personnel and duties; and providing for use by said advisory board of a portion of certain monies distributed for law enforcement purposes under the provisions of Act No. 2431, H. 2569, Regular Session 1971 (Acts 1971, p. 3880 et seq.), as amended, providing for a County Racing Commission in all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census.

I hereby certify that the notice & proof is attached to the Bill, S. B. 640 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Drinkard (With Notice and Proof):

S. 647. Relating to Etowah County; creating and establishing a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers and duties of the personnel director; and providing penalties for violation of any of the provisions of this act.

I hereby certify that the notice & proof is attached to the Bill, S. B. 647 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Covington (With Notice and Proof):

S. 648. To alter or rearrange the boundary lines of the Town of Ariton, Dale County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in Dale County, Alabama.

I hereby certify that the notice & proof is attached to the Bill, S. B. 648 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Covington (With Notice and Proof):

S. 650. Relating to Dale County; to provide for increasing the salary of the probate judge effective October 1, 1984.

I hereby certify that the notice & proof is attached to the Bill, S. B. 650 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate were severally read one time and referred to appropriate Standing Committees as follows:

S. 639. Local Legislation No. 1.

S. 640. Local Legislation No. 3.

S. 647. Local Legislation No. 1.

S. 648. Local Legislation No. 1.

S. 650. Local Legislation No. 1.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Figures (With Notice and Proof):

S. 6. To provide for an adjustment in certain benefits paid under the pension and relief system for policemen and firemen of the City of Mobile to retired members of such system who retired after October 1, 1977, and before May 4, 1978.

I hereby certify that the notice & proof is attached to the Bill, S. B. 6 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Teague (With Notice and Proof):

S. 108. To authorize the Talladega County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

I hereby certify that the notice & proof is attached to the Bill, S. B. 108 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate were severally read one time and referred to appropriate Standing Committees as follows:

S. 6. Local Legislation No. 3.

S. 108. Local Legislation No. 1.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Cooley (With Notice and Proof):

S. 245. Relating to Cullman County; authorizing a procedure whereby the sheriff is authorized to offer for public auction to the highest bidder for cash abandoned and stolen personal property which has been recovered by the sheriff's department of the county and stored by said department but which has been unclaimed after six (6) months; providing that such auctions are to be made after notice of the time and place thereof shall have been given publication once a week for two weeks in a newspaper of general cir-

culatation published in Cullman County, or by posting in a conspicuous place at the county courthouse; providing that the first publication or posting of said notice shall be twenty days before the said auction; providing a procedure for the conduct of said auction; providing that the owner of any of the abandoned or stolen property recovered and stored by the sheriff may redeem the same at any time prior to its sale by paying any reasonable storage or maintenance costs incurred and a pro rata cost of publication and further providing that after deducting and paying all expenses incurred in storing or auctioning the said property, all proceeds from the sale of said property shall be paid into the general fund of the county.

I hereby certify that the notice & proof is attached to the Bill, S. B. 245 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Cooley (With Notice and Proof):

S. 246. Relating to Cullman County; to provide for a special recording fee on documents filed in the office of the judge of probate; to provide that such special recording fee be used for the purpose of acquiring and maintaining electronic data processing equipment for the office of the judge of probate.

I hereby certify that the notice & proof is attached to the Bill, S. B. 245 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

McDOWELL LEE,  
Secretary.

### SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate were severally read one time and referred to appropriate Standing Committees as follows:

S. 245. Local Legislation No. 1.

S. 246. Local Legislation No. 1.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Dial (With Notice and Proof):

S. 451. Relating to Cleburne County; to provide for the appointment of the board of registrars.

I hereby certify that the notice & proof is attached to the Bill, S. B. 451 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Aldridge (With Notice and Proof):

S. 455. Relating to Morgan County; to authorize the Morgan County Commission to pay the actual cost of replacing any clothing or equipment of a deputy sheriff, probation officer or juvenile detention officer of the county that is damaged or destroyed while such officer is engaged in the performance of his official duties and acting within the line and scope of his authority.

I hereby certify that the notice & proof is attached to the Bill, S. B. 455 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Aldridge (With Notice and Proof):

S. 456. Relating to Morgan County; to authorize the Morgan County Commission to enter into contract providing for the Sheriff of Morgan County to furnish police protection within a municipality of the county on a contract basis. To further authorize municipalities entering into such a contract police agreement to pay over to the county treasurer monies sufficient to reimburse the county treasury for expenditures necessary to provide said contract policing.

I hereby certify that the notice & proof is attached to the Bill, S. B. 456 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Bedsole (With Notice and Proof):

S. 500. To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939 (Local Acts 1939, page 298), which creates and establishes the countywide Civil Service System in Mobile County, so as to include the chairman of the board of water and sewer commissioners of the City of Mobile as a member of the supervisory committee of the Mobile County Personnel Board.

I hereby certify that the notice & proof is attached to the Bill, S. B. 500 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Barron (With Notice and Proof):

S. 505. Relating to county health officers or administrators in DeKalb County; authorizing such persons to issue official death certificates, and providing penalties for violation of this act.

I hereby certify that the notice & proof is attached to the Bill, S. B. 505 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.



Also:

By Senator Barron (With Notice and Proof):

S. 506. Relating to the City of Fort Payne in DeKalb County; to alter the corporate boundaries so as to include additional lands within the corporate limits.

I hereby certify that the notice & proof is attached to the Bill, S. B. 506 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

McDOWELL LEE,  
Secretary.

### SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate were severally read one time and referred to appropriate Standing Committees as follows:

- S. 451. Local Legislation No. 1.
- S. 455. Local Legislation No. 1.
- S. 456. Local Legislation No. 1.
- S. 500. Local Legislation No. 3.
- S. 505. Local Legislation No. 1.
- S. 506. Local Legislation No. 1.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Barron (With Notice and Proof):

S. 584. Relating to county health officers or administrators in Jackson County; authorizing such persons to issue official death certificates, and providing penalties for violation of this act.

I hereby certify that the notice & proof is attached to the Bill, S. B. 584 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Holmes (With Notice and Proof):

S. 587. Relating to Calhoun County; establishing a branch of the license commissioner's office in the City of Piedmont.

I hereby certify that the notice & proof is attached to the Bill, S. B. 587 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Drinkard (With Notice and Proof):

S. 597. Relating to St. Clair County; to provide further for the election of the members of the county board of education and the superintendent of education.

I hereby certify that the notice & proof is attached to the Bill, S. B. 597 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senators Goodwin and Ellis (With Notice and Proof):

S. 601. Relating to Bibb County; to amend Act No. 780, H. 1706, Regular Session 1973 (Acts 1973, p. 1195), which act provides for compensation of the sheriff, appointment of deputies, secretaries and jailors, so as to further provide for the salaries of certain members of the sheriff's staff.

I hereby certify that the notice & proof is attached to the Bill, S. B. 601 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Drinkard (With Notice and Proof):

S. 602. Relating to Etowah County; to provide further for the election of the members of the county board of education.

I hereby certify that the notice & proof is attached to the Bill, S. B. 602 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Sanders (With Notice and Proof):

S. 604. Relating to Sumter County, levying an additional fee on all hazardous and non-hazardous waste stored, deposited or dumped at a disposal site presently known as Chemical Waste Management, Inc., near Emelle, Sumter County, Alabama; providing for the collecting of said fee; providing for the organizing of Sumter County monitoring commission, and specifically repealing Sections 8 and 9 of Act No. 82-480, H. 669, Regular Session 1982 (Acts 1982, p. 672), which act relates to another local law for Sumter County levying a fee for similar waste disposal.

I hereby certify that the notice & proof is attached to the Bill, S. B. 604 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate were severally read one time and referred to appropriate Standing Committees as follows:

- S. 584. Local Legislation No. 1.
- S. 587. Local Legislation No. 1.
- S. 597. Local Legislation No. 1.
- S. 601. Local Legislation No. 1.
- S. 602. Local Legislation No. 1.
- S. 604. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Parsons (With Notice and Proof):

S. 381. To further amend Section 1 of Act No. 458, H. 1175, Regular Session 1975, Acts of Alabama, as amended, relating to the election of certain assistant county officials in Jefferson County to serve in the branch offices in the City of Bessemer so as to remove the provisions relative to the assistant probate judge.

I hereby certify that the notice & proof is attached to the Bill, S. B. 381 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Hilliard (With Notice and Proof):

S. 393. To provide a supplemental salary for the elected deputy circuit clerk serving the Bessemer Cut-Off Division of the Tenth Judicial Circuit.

I hereby certify that the notice & proof is attached to the Bill, S. B. 393 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Drinkard (With Notice and Proof):

S. 411. To amend Section 12 of Act No. 80-442 so as to eliminate the 90 days waiting period to draw benefits for normal retirement from the Policemen's and Firemen's Retirement Fund of the City of Gadsden, Alabama.

I hereby certify that the notice & proof is attached to the Bill, S. B. 411 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

*McDOWELL LEE,*  
*Secretary.*

#### SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 381. Local Legislation No. 2.

S. 393. Local Legislation No. 2.

S. 411. Local Legislation No. 1.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Teague (With Notice and Proof):

S. 443. To extend, alter and rearrange the boundary lines and corporate limits of the City of Lincoln, Talladega County, Alabama.

I hereby certify that the notice & proof is attached to the Bill, S. B. 443 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Dial (With Notice and Proof):

S. 450. Relating to Cleburne County; providing further for the expense allowance and salary for the county coroner.

I hereby certify that the notice & proof is attached to the Bill, S. B. 450 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

*McDOWELL LEE,*  
*Secretary.*

#### SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 443. Local Legislation No. 1.

S. 450. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Ellis (With Notice and Proof):

S. 607. To amend the title and sections 1, 2, 5, 6, 8, 9, 10, 11, 12, 13 and 15 of Act No. 82-693, H. 57 of the Second Special Session of 1982 (Acts 1982, p. 144) which created and established the Shelby County Planning Commission, so as to provide further for the membership, organization, authority and function of the commission and to specifically repeal section 16 of said act which provided for ratification, validation and approval of Act No. 816 approved September 2, 1965 and actions taken by the Shelby County Planning Commission, officials and electors of the county as of the date they were taken.

I hereby certify that the notice & proof is attached to the Bill, S. B. 607 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Bennett (With Notice and Proof):

S. 615. Relating to the City of Homewood; to provide for the zoning of certain property.

I hereby certify that the notice & proof is attached to the Bill, S. B. 615 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Aldridge (With Notice and Proof):

S. 618. Relating to the 8th Judicial Circuit; to provide an additional expense allowance to each court reporter.

I hereby certify that the notice & proof is attached to the Bill, S. B. 618 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Aldridge (With Notice and Proof):

S. 619. Relating to Morgan County; to amend Section 1 of Act No. 733, S. 811, Regular Session 1977 (Acts 1977, p. 1279) which regulates the compensation of members of the county board of registrars, so as to provide further for such compensation and to specifically repeal Act No. 622, H. 1108, 1981 Regular Session (Acts 1981, p. 1036).

I hereby certify that the notice & proof is attached to the Bill, S. B. 619 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Aldridge (With Notice and Proof):

S. 620. To provide an annual salary supplement for the clerk of the Morgan County Jury Commission, to be paid by the county; to provide that such supplement shall be in an amount so as to make the total salary of the Clerk of the Jury Commission equal to the total salary received by the Chairman of the Board of Registrars of said county; and to provide an effective date.

I hereby certify that the notice & proof is attached to the Bill, S. B. 620 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 607. Local Legislation No. 1.
- S. 615. Local Legislation No. 2.
- S. 618. Local Legislation No. 1.
- S. 619. Local Legislation No. 1.
- S. 620. Local Legislation No. 1.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Senator Cooley (With Notice and Proof):

S. 250. Relating to selling and redeeming lands for taxes in Cullman County, Alabama.

I hereby certify that the notice & proof is attached to the Bill, S. B. 250 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Cooley (With Notice and Proof):

S. 251. Relating to Cullman County; authorizing any town or municipality in said county to regulate the business hours of game and billiard rooms either by ordinance, rule or regulation or by license fees.

I hereby certify that the notice & proof is attached to the Bill, S. B. 251 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Hand (With Notice and Proof):

S. 294. To alter, rearrange and add to the limits of the City of Satsuma in Mobile County, Alabama, and to describe the area so added to the city of Satsuma.

I hereby certify that the notice & proof is attached to the Bill, S. B. 294 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

McDOWELL LEE,  
Secretary.

### SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 250. Local Legislation No. 1.

S. 251. Local Legislation No. 1.

S. 294. Local Legislation No. 3.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Senators Bedford, Foshee, and Teague:

S. 610. To provide, in addition to benefits now received, a graduated percentage cost-of-living increase to all probate judges retired under the Judicial Retirement Fund of Alabama, prior to October 1, 1983; and to provide for the repeal of conflicting laws.

McDOWELL LEE,  
Secretary.

### SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was severally read one time and referred to appropriate Standing Committees as follows:

S. 610. Ways and Means.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and sends same herewith to the House:

By Senator Cooley (With Notice and Proof):

S. 247. Providing full-time status for the associate county commissioners of Cullman County; providing certain salaries for such commission-

ers and prescribing realms of responsibility relating to the county road program for such commissioners.

I hereby certify that the notice & proof is attached to the Bill, S. B. 247 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Cooley (With Notice and Proof):

S. 249. Relating to Cullman County; providing for the compensation of the sheriff, the judge of probate, the revenue commissioner, the coroner and the chairman of the county commission and providing a certain annual expense allowance for the court reporters of the thirty-second judicial circuit.

I hereby certify that the notice & proof is attached to the Bill, S. B. 249 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Bedsole (With Notice and Proof):

S. 429. Relating to any Class 2 municipality; providing for a referendum on the question of adoption of a mayor-council form of government, a council-manager form of government, or the mandated district-commission form of government; establishing in the alternative said forms of government; and providing for penalties for violations of certain provisions of this Act.

I hereby certify that the notice & proof is attached to the Bill, S. B. 429 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Bennett (With Notice and Proof):

S. 434. Relating to Jefferson County; to alter, rearrange and extend the boundaries and corporate limits of the City of Midfield, Alabama, so as to incorporate certain territory as described herein.

I hereby certify that the notice & proof is attached to the Bill, S. B. 434 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senator Bennett (With Notice and Proof):

S. 544. Relating to Jefferson County; providing further for the cost and charges in all district court cases and providing for the establishment of a Family Court Probation Fund in the county and the distribution of such funds.



I hereby certify that the notice & proof is attached to the Bill, S. B. 544 as required in the General Acts of Alabama, 1975 Act No. 919.

McDOWELL LEE,  
Secretary.

Also:

By Senators Ellis and Goodwin:

S. 369. To propose an amendment to the Constitution of Alabama of 1901, to authorize the Bibb County Commission to levy and collect additional property taxes within Bibb County for purposes of law enforcement, highway and bridge and volunteer fire departments and rescue squads.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 247. Local Legislation No. 1.
- S. 249. Local Legislation No. 1.
- S. 429. Local Legislation No. 3.
- S. 434. Local Legislation No. 2.
- S. 544. Local Legislation No. 2.

#### SENATE MESSAGE

The Senate Bill, S. 369, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

#### CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:40 P.M. on May 9, 1984.

- H. 61
- H. 125
- H. 410
- H. 477
- H. 591
- H. 615
- H. 778
- H. 780

H. 828

JOHN W. PEMBERTON,  
Clerk.

## ADJOURNMENT

On motion of Rep. Johnson (Roy), the House adjourned until 11:00 o'clock a. m., Thursday, May 10, 1984.

## TWENTY-NINTH DAY

House of Representatives  
Montgomery, Alabama  
Thursday, May 10, 1984

The House met pursuant to adjournment.

## PRAYER

The session was opened with prayer by Reverend Gene Ennis, Associate Pastor, First Baptist Church, Trussville, Alabama.

## ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey, (James), Buskey, (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R. G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), and Zoghby.

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A quorum was present.

## REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-eighth legislative day and finds the same to be correct.

JIMMY CLARK,  
Chairman.

On motion of Rep. Clark (J), the reading at length of the Journal of the

House for the twenty-eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-eighth legislative day was approved.

NOTICE IN WRITING

Rep. Albright filed the following Notice in Writing:

Having voted on the prevailing side by which S. 76 passed the House, I move to reconsider said vote.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 770. To approve the proposal of the City Council of the City of Enterprise in Coffee County to increase the rate at which ad valorem tax is levied in such city pursuant to Amendment No. 373 to the Constitution of Alabama of 1901.

Also:

H. 814. Relating to Lee County; providing certain annual salaries for the probate judge, sheriff, tax assessor, and tax collector.

Also:

H. 866. To amend Section 1 of Act No. 83-714, H. 916, of the 1983 Regular Session of the Legislature (Acts 1983, p. 1160), relating to licensing of retailers of alcoholic beverages in Shelby County, Alabama, so as to provide further for such licensing.

Also:

H. 831. Relating to Houston County; providing for a certain additional monthly expense allowance for the county coroner which shall terminate on December 31, 1986; providing for a certain monthly salary for such coroner to be effective at the beginning of the next term of office with such salary to be in lieu of all salaries and expense allowances heretofore provided by law for such coroner; authorizing the county commission to pay any operating expenses for such coroner's office retroactive to October 1, 1970; authorizing said coroner to appoint a deputy coroner to serve in his absence and specifically repealing certain conflicting laws.

Also:

H. 757. Relating to Lauderdale County; designating the combination of offices of tax assessor and tax collector, pursuant to Act No. 81-606, H. 1084, 1981 Regular Session, as the Revenue Commissioner; providing further for the compensation, term, election and temporary appointment of said office.

Also:

H. 715. To make appropriations for the support and maintenance of the Talladega College for the fiscal year ending September 30, 1985.

McDOWELL LEE,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 404. To further reapportion House District 40 and House District 41 of the Alabama legislature based upon the 1980 census.

Also:

H. 588. To amend Section 37-3-4 of the Code of Alabama 1975, relating to motor vehicle carriers as to exempt motor vehicle carriers transporting coke from regulation by the public service commission.

Also:

H. 696. Relating to the abandonment of the commission form of government by Class 7 municipalities; providing for the call of a referendum on the adoption of a mayor-council form of government with five (5) single-member districts; providing for the establishment of boundaries of districts, salaries of the mayor and council, and the call of the election of mayor and council; providing for the term of office of the initial mayor and council; providing the election laws to be applied; providing for reapportionment of council districts; providing for the preservation of other officers, their powers, duties, rights, privileges, and emoluments, for the preservation of transfer of all property owned by the municipality, all contracts in force, all legal proceedings, and pension funds; providing for the continuation of all subordinate agencies of the municipality and all ordinances; providing for an effective date of this act, the repeal of all conflicting laws, and the severability of the provisions of this act.

Also:

H. 743. To amend Sections 33-16-7, 33-16-9 and 33-16-11 of the Code of Alabama 1975 to authorize the Coosa Valley Development Authority to undertake certain additional types of obligations, to modify certain restrictions pertaining to the contractual obligations of said authority, to provide that certain contracts between said authority and the United States shall not be subject to certain requirements generally applicable to contracts of said authority and to clarify the respective responsibilities of said authority and the state docks department with respect to the provision and maintenance of river and canal terminals.

McDOWELL LEE,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 623. To make an appropriation for the support and maintenance of the Walker County Junior College for the fiscal year ending September 30, 1985.

Also:

H. 671. Relating to Mobile County; to amend Sections 1, 2, 3, 4, 5, 6, 9, 10, 13, 15, 16 and 18 of Act No. 2431, H. 2569 Regular Session 1971 (acts

1971, p. 3880 et. seq.) as amended, which relates to all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census; to provide for and create a County Racing Commission for the regulation, licensing and supervision of dog racing and wagering thereon, etc., so as to provide further for the appointment, qualifications, terms and compensation of members of the racing commission and to provide for a maximum amount of time prior to expiration of a term that a racing commissioner may be appointed; to provide further for the duties and responsibilities of the treasurer of the racing commission; to provide further for the compensation of counsel for the racing commission; to provide further for the duty of racing commission to make certain annual reports; to provide further for age requirements of certain employees; to provide further for the issuance of permits or licenses; to provide for additional withholding from pari-mutuel pools in certain instances and to provide for the use thereof; to provide for additional pari-mutuel betting; and to provide for distribution of outstanding unredeemed mutuel tickets.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 294. To amend Section 36-21-2, Code of Alabama 1975, to increase the subsistence allowance paid to any state law enforcement officer of the state of Alabama who is employed by the department of public safety, department of conservation and natural resources, Alabama alcoholic beverage control board, department of agriculture and industries, Alabama Department of Forensic Sciences or the transportation enforcement division of the Alabama public service commission from \$5.00 per day to \$8.00 per day.

Also:

H. 332. To authorize any municipal or county governing body to create a communications district in the respective jurisdiction of such municipality or county for the purpose of establishing a local emergency telephone service, to provide for the governing body of the district, including its powers, and to provide for funding for such districts, including provisions for levying an emergency telephone service charge.

Also:

H. 362. To provide for court ordered continuing income withholding by employers as a discretionary judicial means of enforcing restitution orders in criminal cases; to provide further that after notice and hearing such income withholding orders may also be issued for the enforcement of previously ordered restitution obligations which are delinquent; to provide further that other income or assets may be attached for the enforcement of restitution orders; to provide further that any court order requiring the withholding or attachment of assets or income may be modified or rescinded on certain conditions; to provide further for service of court orders withholding income or attaching assets; to provide further for service by certified mail, return receipt requested and for the taxing of costs of such service; to provide further that income withholding orders or orders attaching assets shall take precedence over subsequently issued garnishments or writs except as the same applies to the support of any dependent children of the

defendant; to provide that no employer may discharge a person solely because of such order; and to provide that any person who refuses to comply with the order may be deemed to be in contempt of court and liable to the victim for amounts not withheld; and to provide for legislative findings, policy, and judicial construction.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 902. To propose an amendment to the Constitution of Alabama of 1901 providing that certain securities issued by or on behalf of the Alabama State Docks Department shall not constitute debts of the State within the meaning of any state constitutional provisions.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 897. To authorize and make provision for the incorporation in the City of Ozark of the Ozark Downtown Redevelopment Authority for the purpose of promoting trade and commerce by inducing commercial enterprises to upgrade, improve, modernize, and expand existing facilities and to locate new facilities in the central business district of Ozark; to define the area of such central business district; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of such Authority, its board of directors, and its officers; to authorize such Authority to acquire by purchase, construction, exchange, gift, lease or otherwise and to refinance existing indebtedness on, improve, maintain, equip and furnish land and buildings or other improvements thereon and all real and personal properties necessary in connection therewith whether or not now existing, suitable for use by any commercial enterprise, provided that such property shall be located wholly within the Downtown Development Area herein defined; to authorize any such Authority to lease such properties to others; to authorize any such Authority to sell, exchange, donate or convey and to grant options to any lessee to acquire such properties; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities, payable solely out of the revenues and receipts derived from the leasing or sale of such properties; to provide that in certain circumstances such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues and receipts from which they are payable, by contracts binding any such Authority for the proper application of its revenues and receipts and of the proceeds of such securities, and by mortgages and deeds of trust and trust indentures on the property out of the revenues and receipts from which such securities are payable; to authorize the Authority to finance, construct, acquire, purchase, renovate, maintain, improve, sell, equip, operate or manage projects; to apply for and use government or private financial assistance;

to contract to use facilities or services of the federal, state or local governments or allow them to use facilities or services of the Authority; to make loans to persons or entities for the costs of a project on such security and with such terms and conditions as the Authority deems appropriate; to provide for the employment by any such Authority of such officers, employees, contractors, consultants and agents as its business may require; to provide for the taking out by any such Authority of various types of insurance; to require payments in lieu of taxes to be made to the Authority or the City; to receive the proceeds of municipal taxes levied for the Authority's purposes; to promote revitalization of the Downtown Development Area and make plans and proposals therefor; to provide for the investment of funds of any such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to make the securities issued by any such Authority eligible investments for various governmental bodies and fiduciaries; to provide that any such Authority may, in its discretion, publish a notice of the adoption of a resolution authorizing the issuance of bonds by such Authority, and to provide that any action or proceeding questioning the validity of such bonds, or any pledge, mortgage and deed of trust or trust indenture securing the same, or the proceedings authorizing the same, must be commenced within thirty (30) days after the first publication of said notice; to exempt the income of any such Authority, and all conveyances, leases, mortgages and deeds of trust to which any such Authority is a party, from all taxation in the state except for state ad valorem taxes; to exempt every such Authority from all license and excise taxes imposed in respect of the privilege of engaging in any of the activities in which an Authority may engage, except for state sales and use taxes, and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from all laws of the State governing usury or prescribing or limiting interest rates; to exempt every such Authority from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to exempt every such Authority from the supervision and control of state agencies, in particular the State Department of Finance; to provide for the disposition of the earnings, if any, of any such Authority; to provide for the dissolution of any such Authority and the disposition of its property; to limit to one the number of such Authorities which may exist in any municipality at any one time; to give the Authority the power of eminent domain; and to authorize political subdivisions, agencies, instrumentalities and public corporations of the state to aid the Authority with loans or grants of money, the furnishing of services or the transfer of property to the Authority without any public election; to require the treasurer to obtain a fidelity bond equal to the amount of any public funds held by the Authority; to require compliance with the competitive bid law with respect to any projects receiving public funds; and to require a public hearing prior to the expenditure of any public funds.

McDOWELL LEE,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the house:

H. 54. Relating to Tallapoosa County; providing for a salary schedule for certain employees of the sheriff's department in said county and providing that such schedule shall have retroactive effect to October 1, 1983.

Also:

H. 119. Relating to Mobile County; authorizing the judge of probate to sell lists of voters to certain candidates and providing for the disposition of funds from said sales.

Also:

H. 803. Relating to the City of Prichard in Mobile County, Alabama; providing a certain reopening period for certain city employees and city library employees to become members of the "Municipal Employees Pension and Relief Fund" as provided for in Act No. 107, H. 150, of the 1956 Special Session (Acts 1956, p. 154), as amended, and prescribing rules and regulations relative to payment of necessary contributions to such fund for such employees who become members of such system as provided by this Act.

Also:

H. 597. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Gulf Shores in Baldwin County.

McDOWELL LEE,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 434. Relating to Montgomery County; to redivide said county into districts for the purpose of electing the county commission.

Also:

H. 662. An Act relating to Geneva County providing that the Geneva County governing body shall supplement the salary of the District Judge from the County General Fund in the amount of \$3,600.00 per annum.

Also:

H. 798. Relating to Elmore County; to provide that the sheriff shall be entitled to the allowances payable by the state, county or municipalities for feeding prisoners housed in the Elmore County Jail; and to provide that the provisions of this Act shall be retroactive to January 18, 1983.

Also:

H. 925. Relating to Autauga County, granting discretionary authority to each member of the county commission to assume certain additional du-



ties heretofore performed by a district county commission foreman and prescribing the annual salaries of the members of the county commission.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 46. To authorize the Chancellor of Postsecondary Education to establish multipurpose programs at designated two-year institutions to provide the necessary training, counseling, and services to enable displaced homemakers to experience economic security vital to productive lives; and to provide for the appointment of a director to administer the statewide network of multipurpose programs.

Also:

H. 782. Providing for purging the lists of registered voters; requiring and prescribing the procedure for the reidentification of certain registered voters; providing for the appointment of deputy registrars to aid in the reidentification and registration of electors; placing certain duties on the board of registrars, judge of probate, and the the county governing body relative to the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

McDOWELL LEE,  
Secretary.

#### BILLS ON SECOND READING

Rep. Blake, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar to-wit:

S. 382. To amend § 22-30-4, Code of Alabama 1975, as amended, relating to the regulatory authority of the state department of environmental management over hazardous waste, so as to provide further for such authority by providing for certain monitoring teams at disposal sites with such teams being financed by levying certain fees on operators of such sites.

Rep. Cosby, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 543. (With Substitute): To amend Section 27-4-2, Code of Alabama 1975, which directs the Commissioner of Insurance to collect in advance certain fees, licenses and miscellaneous charges, by increasing said fees, licenses and miscellaneous charges, charging an application fee for resident and non-resident life and disability agents, establishing an Insurance Regulatory Trust Fund for the payment of the direct and indirect expenses of the Insurance Department, authorizing the investment of available monies of the Insurance Regulatory Trust Fund by the agency having the constitutional or statutory power to make investments and reinvestments for and in behalf of any state agency, requiring that all earnings derived from such investments be paid into the Insurance Regulatory Trust Fund, requiring

that any cash balance in the Insurance Regulatory Revolving Trust Fund after the conclusion of the current fiscal year be carried forward in the same fund for the next succeeding fiscal year and each fiscal year thereafter, authorizing the state's chief fiscal officer to transfer monies from funds of the State Treasury to the Insurance Regulatory Revolving Trust Fund should that fund incur a deficiency, requiring that any monies so transferred be repaid before the conclusion of the fiscal year in which the transfer is made, and allowing the Insurance Department's expenses to be paid by appropriations from the state general fund with repayment to the state general fund being made before the end of the next fiscal year.

Rep. Horn, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 564. To authorize Class I municipalities to alter and change water courses and to construct and develop wharves and wharf facilities within a radius of twenty-five miles in order to maximize the ability of municipalities to promote the use of river and water transportation to take advantage of the shipping potential made possible by the Tombigbee Waterway, provided that no such facility can be constructed or developed within the police jurisdiction of another municipality without the consent thereof, or in an unincorporated area of any county without the consent of the governing body of such county; to issue general obligation bonds, or to authorize industrial development boards to issue revenue bonds to finance such facilities; to authorize municipalities and counties to contribute funds to such municipalities for construction and operation of such facilities, and to contract for joint construction and operation thereof; to provide an effective date of the Act.

S. 615. Relating to the City of Homewood; to provide for the zoning of certain property.

S. 393. To provide a supplemental salary for the elected deputy circuit clerk serving the Bessemer Cut-Off Division of the Tenth Judicial Circuit.

S. 381. To further amend Section 1 of Act No. 458, H. 1175, Regular Session 1975, Acts of Alabama, as amended, relating to the election of certain assistant county officials in Jefferson County to serve in the branch offices in the City of Bessemer so as to remove the provisions relative to the assistant probate judge.

S. 434. Relating to Jefferson County; to alter, rearrange and extend the boundaries and corporate limits of the City of Midfield, Alabama, so as to incorporate certain territory as described herein.

S. 559. Relating to Jefferson County; to alter, rearrange and extend the boundaries and corporate limits of the City of Midfield, Alabama, so as to incorporate certain territory as described herein.

S. 544. Relating to Jefferson County; providing further for the cost and charges in all district court cases and providing for the establishment of a Family Court Probation Fund in the county and the distribution of such funds.

S. 631. To further amend Sections 18 and 20 of an act designated as Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of the Legislature of Alabama of 1945,

pp. 376-400) as heretofore amended, relating to creating and establishing in counties having a population of 400,000 or more according to the last or any future federal census, a countywide civil service system. To provide for appointment of department heads from all qualified candidates unless the appointing authority shall request the three ranking eligibles only.

Rep. Turner, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 6. To provide for an adjustment in certain benefits paid under the pension and relief system for policemen and firemen of the City of Mobile to retired members of such system who retired after October 1, 1977, and before May 4, 1978.

S. 294. To alter, rearrange and add to the limits of the City of Satsuma in Mobile County, Alabama, and to describe the area so added to the City of Satsuma.

Rep. Turner, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar to-wit:

S. 429. (With Substitute): Relating to any Class 2 municipality; providing for a referendum on the question of adoption of a mayor-council form of government, a council-manager form of government, or the mandated district-commission form of government; establishing in the alternative said forms of government; and providing for penalties for violations of certain provisions of this Act.

Rep. Turner, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 518. Relating to the City of Mobile; amending Section 22 of Act No. 243, H. 278, 1964 First Special Session (Acts 1964, p. 326), relating to the pension and relief system for police and fire department members, so as to allow any member of the system to withdraw from participation at any time.

S. 640. Relating to Mobile County; establishing the Mobile County Highway and Traffic Safety Advisory Board and describing its composition, authority and duties; establishing the Mobile County Department of Highway and Traffic Safety and describing its authority, personnel and duties; and providing for use by said advisory board of a portion of certain monies distributed for law enforcement purposes under the provisions of Act No. 2431, H. 2569, Regular Session, 1971 (Acts 1971, p. 3880 et seq.), as amended, providing for a County Racing Commission in all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee had acted on the following bills and

ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 108. To authorize the Talladega County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

S. 245. Relating to Cullman County; authorizing a procedure whereby the sheriff is authorized to offer for public auction to the highest bidder for cash abandoned and stolen personal property which has been recovered by the sheriff's department of the county and stored by said department but which has been unclaimed after six (6) months; providing that such auctions are to be made after notice of the time and place thereof shall have been given publication once a week for two weeks in a newspaper of general circulation published in Cullman County, or by posting in a conspicuous place at the county courthouse; providing that the first publication or posting of said notice shall be twenty days before the said auction; providing a procedure for the conduct of said auction; providing that the owner of any of the abandoned or stolen property recovered and stored by the sheriff may redeem the same at any time prior to its sale by paying any reasonable storage or maintenance costs incurred and a pro rata cost of publication and further providing that after deducting and paying all expenses incurred in storing or auctioning the said property, all proceeds from the sale of said property shall be paid into the general fund of the county.

S. 246. Relating to Cullman County; to provide for a special recording fee on documents filed in the office of the judge of probate; to provide that such special recording fee be used for the purpose of acquiring and maintaining electronic data processing equipment for the office of the judge of probate.

S. 247. Providing full-time status for the associate county commissioners of Cullman County; providing certain salaries for such commissioners and prescribing realms of responsibility relating to the county road program for such commissioners.

S. 249. Relating to Cullman County; providing for the compensation of the sheriff, the judge of probate, the revenue commissioner, the coroner and the chairman of the county commission and providing a certain annual expense allowance for the court reporters of the thirty-second judicial circuit.

S. 250. Relating to selling and redeeming lands for taxes in Cullman County, Alabama.

S. 251. Relating to Cullman County; authorizing any town or municipality in said county to regulate the business hours of game and billiard rooms either by ordinance, rule or regulation or by license fees.

S. 411. To amend Section 12 of Act No. 80-442 so as to eliminate the 90 days waiting period to draw benefits for normal retirement from the Policemen's and Firemen's Retirement Fund of the City of Gadsden, Alabama.

S. 443. To extend, alter and rearrange the boundary lines and corporate limits of the City of Lincoln, Talladega County, Alabama.

S. 505. Relating to County health officers or administrators in DeKalb County; authorizing such persons to issue official death certificates, and providing penalties for violation of this act.

S. 506. Relating to the City of Fort Payne in DeKalb County; to alter the corporate boundaries so as to include additional lands within the corporate limits.

S. 570. Relating to Calhoun County; to extricate certain public officers in said county from the provisions of Section 6-8-40 of the Code of Alabama 1975 which require such officers and officials to subscribe for, take and file certain weekly newspapers.

S. 587. Relating to Calhoun County; establishing a branch of the license commissioner's office in the City of Piedmont.

S. 597. Relating to St. Clair County; to provide further for the election of the members of the county board of education and the superintendent of education.

S. 621. To amend the Title and Section 4 of Act No. 80-572, S. 576 (Acts 1980, p. 885), said act relating to Lowndes County and the additional levy of tax on persons, firms and corporations selling and distributing or delivering malt or brewed beverages to retailers, so as to provide further for the administration of the Juvenile Services Trust Fund Account.

S. 633. Relating to the City of Cullman in Cullman County; to validate, in certain cases, annexations heretofore held by the City of Cullman.

S. 635. Relating to Marshall County; to further regulate the appropriation and distribution of Tennessee Valley Authority funds paid in-lieu-of-taxes; making certain provisions retroactive to April 1, 1984; and specifically providing that the provisions of this act shall be cumulative.

S. 639. To provide for the filing for record and the preservation of all orders and decrees made and entered by any Judge of the Circuit Court of the 32nd Judicial Circuit.

S. 647. Relating to Etowah County; creating and establishing a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers and duties of the personnel director; and providing penalties for violation of any of the provisions of this act.

S. 450. Relating to Cleburne County; providing further for the expense allowance and salary for the county coroner.

S. 455. Relating to Morgan County; to authorize the Morgan County Commission to pay the actual cost of replacing any clothing or equipment of a deputy sheriff, probation officer or juvenile detention officer of the county that is damaged or destroyed while such officer is engaged in the performance of his official duties and acting within the line and scope of his authority.

S. 456. Relating to Morgan County; to authorize the Morgan County Commission to enter into contract providing for the Sheriff of Morgan County to furnish police protection within a municipality of the county on a contract basis. To further authorize municipalities entering into such a contract police agreement to pay over to the county treasurer monies sufficient to reimburse the county treasurer for expenditures necessary to provide said contract policing.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with

substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 509. (With Substitute): Relating to Coosa County; to provide that all members of the county commission shall serve on a full time basis, effective upon the next term of office of any members; to regulate further the expense allowance of the members of the Coosa County Commission and giving retroactive effect to such expense allowances; and providing automatic termination of such expense allowance.

Rep. Rains, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 541. Relating to Coosa County; legalizing the sale of draft or keg beer or malt beverages; and repealing conflicting laws.

S. 584. Relating to county health officers or administrators in Jackson County; authorizing such persons to issue official death certificates, and providing penalties for violation of this act.

S. 618. Relating to the 8th Judicial Circuit; to provide an additional expense allowance to each court reporter.

S. 619. Relating to Morgan County; to amend Section 1 of Act No. 733, S. 811, Regular Session 1977 (Acts 1977, p. 1279) which regulates the compensation of members of the county board of registrars, so as to provide further for such compensation and to specifically repeal Act No. 622, H. 1108, 1981 Regular Session (Acts 1981, p. 1036).

S. 620. To provide an annual salary supplement for the clerk of Morgan County Jury Commission, to be paid by the county; to provide that such supplement shall be in an amount so as to make the total salary of the Clerk of the Jury Commission equal to the total salary received by the Chairman of the Board of Registrars of said county; and to provide an effective date.

S. 632. Relating to the 34th Judicial Circuit; creating the office of public defender and providing for the manner of appointment, the operation and financing of such office; providing such office for the representation and defense of persons accused of crime whom the courts declare indigent; establishing the Public Defender Commission; defining the authority, powers, duties and limitations of said commission and defender; providing for the vacancy of said office of defender; authorizing the taxing and collecting of certain additional court costs in certain courts within said counties for financing the operation of the office of Public Defender and representation of indigents, such revenues to be designated for the Public Defender's fund; continuing the opportunity for lawyers to be appointed to represent such indigents; and requiring that any excess money in the Public Defender Fund be retained by said Fund in order to expand its operation.

S. 648. To alter or rearrange the boundary lines of the Town of Ariton, Dale County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in Dale County, Alabama.

S. 650. Relating to Dale County; to provide for increasing the salary of the probate judge effective October 1, 1984.

S. 369. To propose an amendment to the Constitution of Alabama of

1901, to authorize the Bibb County Commission to levy and collect additional property taxes within Bibb County for purposes of law enforcement, highway and bridge and volunteer fire departments and rescue squads.

The above bill was read a second time at length as required by the Constitution.

S. 601. Relating to Bibb County; to amend Act No. 780, H. 1706, Regular Session 1973 (Acts 1973, p. 1195), which act provides for compensation of the sheriff, appointment of deputies, secretaries and jailors, so as to further provide for the salaries of certain members of the sheriff's staff.

S. 607. To amend the title and sections 1, 2, 5, 6, 8, 9, 10, 11, 12, 13 and 15 of Act No. 82-693, H. 57 of the Second Special Session of 1982 (Acts 1982, p. 144) which created and established the Shelby County Planning Commission, so as to provide further for the membership, organization, authority and function of the commission and to specifically repeal section 16 of said act which provided for ratification, validation and approval of Act No. 816 approved September 2, 1965 and actions taken by the Shelby County Planning Commission, officials and electors of the county as of the date they were taken.

#### REPORT OF THE STANDING COMMITTEE ON RULES

Rep. Clark (J), Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolution and ordered same returned to the House with a favorable report, with substitute.

#### S. J. R. 72. CREATING THE LIMESTONE COUNTY EDUCATIONAL TASK FORCE.

Said substitute being as follows:

WHEREAS, the citizens of Limestone County realize that a quality education for today's youth is essential to the future vitality of the county and state; and

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created the Limestone County Educational Task Force. The Task Force shall be composed of the members of the Limestone County Legislative Delegation as well as the Board Presidents and Superintendents of the Athens City School System and the Limestone County School System. The first meeting of the Task Force shall take place no later than thirty (30) days after final passage of this Resolution. The Task Force shall select one of its members as chairman, shall adopt its own rules of order and its decisions shall be made by simple majority vote.

The Task Force shall utilize the services of professional individuals and organizations as the Task Force shall determine. These people or organizations shall be assigned by the Task Force to study such subjects or aspects of local education as the Task Force deems appropriate. These people or organizations will issue their report to the Task Force at such time as the Task Force directs but the entire study is to be completed and a public report issued no later than January 15, 1985.

The Task Force shall hold at least one public hearing in Limestone County in order to obtain citizen input.

## SUBSTITUTE ADOPTED

On motion of Rep. Carter, the substitute was adopted.

On motion of Rep. Carter, the resolution, S. J. R. 72 as amended, was adopted.

Also:

Rep. Clark (J), Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolution and ordered same returned to the House with a favorable report:

S. J. R. 217. CREATING AN INTERIM COMMITTEE TO REVIEW PROFESSIONAL, PRIVILEGE, BUSINESS, VOCATIONAL AND OCCUPATIONAL LICENSES AS PRESENTLY REQUIRED BY THE STATE.

## S. J. R. 217 TEMPORARILY POSTPONED

On motion of Rep. Rice, the resolution S. J. R. 217, was temporarily postponed.

## MOTION TO RECONSIDER

Having previously filed a Notice in writing and voted on the prevailing side, Rep. Albright offered the motion to reconsider the vote by which the bill, S. 76 as amended, was passed.

## MOTION TO TABLE LOST

The motion offered by Rep. Johnson (Roy) to table the motion to reconsider offered by Rep. Albright, was lost.

Yeas 43; Nays 44.

*Yeas:*

Reps.: Albright, Biddle, Black, Boles, Bowling, Box, Browder, Bryant, Bugg, Buskey (John), Campbell, Carothers, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Davis, Escott, Fuller, Goodwin, Harper, Harvey, Johnson (Roy), Junkins, Lindsey, McMillan, McNair, Marietta, Martin, Melton, Newman, Penry, Perdue, Reed, Rogers, Seibels, Spratt, Starkey, Starr, Thomas, White (L) and Zoghby.

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*Nays:*

Mr. Speaker, Adams, Bachus, Beers, Blake, Blakeney, Britnell, Brooks, Butler, Carter, Cosby, Crow, Faulk, Flowers, Gaston, Gray, Grayson, Grouby, Hall, Hammett, Hettinger, Holley, Hooper, Johnson (R.G.), Laird, Lauderdale, McKee, Mathis, Nicholson, Onderdonk, Parker, Payne, Poole, Pratt, Preuitt, Rains, Rice, Smith, Trammell, Turnham, Venable, Warren, White (F), and White (G).

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At the request of Rep. Harvey, leave of absence was granted for Rep. Brakefield.



S. 76 RESUMED

MOTION TO RECONSIDER INDEFINITELY POSTPONED

On motion of Rep. Johnson (Roy), the motion offered by Rep. Albright to reconsider the vote by which the bill, S. 76 as amended, was passed, was indefinitely postponed.

Yeas 50; Nays 44.

*Yeas:*

Reps.: Albright, Biddle, Boles, Bowling, Box, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carothers, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Crow, Davis, Escott, Fuller, Gaston, Goodwin, Harper, Hettinger, Holmes, Hooper, Horn, Johnson (Roy), Junkins, Kvalheim, Lindsey, McDowell, McNair, Marietta, Martin, Melton, Moore, Newman, Perdue, Reed, Rogers, Seibels, Spratt, Starkey, Starr, Thomas, Turner, White (L) and Zoghby.

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*Nays:*

Mr. Speaker, Adams, Beers, Blake, Blakeney, Britnell, Burke, Butler, Cosby, Faulk, Flowers, Gray, Grayson, Grouby, Hall, Hammett, Harvey, Holley, Johnson (R.G.), Laird, Lauderdale, McKee, McMillan, Mathis, Mitchell, Nicholson, Onderdonk, Parker, Payne, Penry, Poole, Pratt, Preuitt, Rains, Rice, Richardson, Sasser, Smith, Trammell, Turnham, Venable, Warren, White (F). and White (G).

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RESOLUTIONS

The following resolutions were introduced:

By Reps. Clark (J), Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Drake, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby:

H. J. R. 367. DESIGNATING H. B. 542 THE THOMAS REED BILL.

WHEREAS, our esteemed colleague, Representative Thomas Reed has worked diligently and successfully over his distinguished legislative career for his beloved alma mater, Tuskegee Institute; and

WHEREAS, Representative Reed's persuasive personality, enduring efforts and daily diligence has been a principal cause for Tuskegee Institute's national reputation for academic excellence; and

WHEREAS, Thomas Reed's dedication to improving the educational opportunities of all people, which will in turn improve the quality of life for all Alabamians, has been unfaltering; and

WHEREAS, Representative Thomas Reed's distinguished service in the legislature on behalf of Tuskegee Institute and education in Alabama should be noted; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That H. B. 542 of the 1984 Regular Session as enacted shall be known and cited as the "Thomas Reed Act."

BE IT FURTHER RESOLVED, That Representative Reed receive a copy of this resolution so that he may know that his immense contributions have been noted and that he may know of the high esteem in which we hold him.

On motion of Rep. Clark (J), the rules were suspended and the resolution, H. J. R. 367, was adopted.

Also:

By Rep. Martin:

H. J. R. 368. To create and establish a Joint Interim Committee on Municipal Government of the Legislature of Alabama.

WHEREAS, under the provisions of Act No. 82-379 an Interim Committee on Municipal Government of the Legislature of Alabama was organized with eight (8) members of the Legislature, four (4) from the House appointed by the Speaker and four (4) from the Senate appointed by the Lieutenant Governor, and the Committee has submitted its report to the Legislature.

The Committee made numerous recommendations with respect to the organization, function, administration, financial framework, election procedures, forms of government procedures, and the impact of growth and urbanization on Alabama cities and towns and,

WHEREAS, the current Legislature has adopted several bills studied by the Committee and will no doubt adopt several additional pieces of legislation which the Interim Committee recommended and there is a need to continue and complete the study begun by the said Interim Committee inasmuch as many areas, which the Committee studied, require further study in depth and require positive recommendations to the Legislature from the Committee, and

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE, THE SENATE OF ALABAMA CONCURRING, that in order to further suggest to the State Legislators additional sound, workable, financially feasible and economically possible methods of administration for Alabama's municipal governments, there is hereby organized an Interim Committee on Municipal Government of the Legislature of Alabama, to be composed of eight (8) members of the Legislature, four (4) members from the House to be appointed by the Speaker of the House, and (4) members from the Senate to be appointed by the Lieutenant Governor. It shall be the duty and function of the Committee to analyze the present status of municipal government in Alabama and to make recommendations for legislation and constitutional revision which it considers necessary or desirable to enable the municipal governments of this state to more adequately meet and furnish the services and requirements of their citizens.

In reviewing the status and the laws of municipal governments in Alabama, the Committee shall consider and make studies of, but shall not limit its consideration, to the following items:

1. An assessment and study of the impact of reduced federal funds and the problems to municipalities created thereby; the study to suggest methods whereby municipalities may continue furnishing services notwithstanding the reduction of federal assistance; the study also to include a review of the block grant delivery system of federal assistance.

2. An assessment and analysis of the progress being made in Congress on anti-trust legislation designed to overcome the adverse decision of the U.S. Supreme Court in *Community Communications Company, Inc. v. City of Boulder, Colorado*.

3. A study and assessment of the problems faced by municipalities because of the mounting problems connected with sanitary sewage (waste water) disposal and a suggested avenue of meeting the tremendous expenses connected with such disposal; and a suggested funding mechanism to cover the cost of disposal.

4. A study of hazardous waste disposal and suggested solutions of the problems created by hazardous wastes.

5. A study of the infrastructure needs of Alabama towns and cities with particular emphasis on the study of road and street systems and their maintenance and repair.

6. A review with recommendations, as to how municipalities can best improve the delivery of services of all types to their citizens.

BE IT FURTHER RESOLVED, that the Committee shall not consume more than forty-five (45) working days in performing its functions and that its report be finished in time for presentation of a preliminary report during the first week of the 1985 Regular Session of the Alabama Legislature and a final report to be submitted during the 1985 Regular Session of the Alabama Legislature and that as far as practical that all meetings of the Committee shall be held in the State Capitol and be opened to the public. The Secretary of the Senate or Clerk of the House is hereby required to provide one (1) clerk, who shall be a competent stenographer, and the Committee is hereby empowered to employ such other personnel, including reporters and attorneys, as the Committee shall deem necessary. The Committee is hereby empowered to expend funds for the purpose of correspondence with prospective witnesses, in preparation of reports and in general expenses incident to the work of the Committee. Each member of the Committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends the meeting of the Committee which shall be paid out of the funds appropriated to the use of the Legislature on warrants drawn on the State Comptroller upon requisition signed by the Committee's Chairman. Provided, that members shall not receive additional legislative compensation or per diem when the Legislature is in session. The Chairman of the Committee shall certify the sums due to the clerk or other employees of the Committee. The total amount of funds expended by the Committee in carrying out the study shall not exceed the sum of Seven Thousand Five Hundred (\$7,500.00) Dollars. The Lieutenant Governor and the Speaker of the House shall jointly designate one of the members of the Committee as Chairman and one member to be Vice-Chairman. The Lieutenant Governor and the Speaker of the House shall be ex-officio members of the Committee and shall receive compensation at the rate paid out members for each day

that they sit with the Committee in its work on the subjects and problems listed in this Resolution, or in handling any other matters agreed upon by the Committee in line with the general purpose of the Committee.

On motion of Rep. Martin, the rules were suspended and the resolution, H. J. R. 368, was adopted.

#### S. J. R. 217 ADOPTED

On motion of Rep. Rice, the resolution, S. J. R. 217, which previously was reported out of the Standing Committee on Rules and temporarily postponed, was adopted.

#### RESOLUTION

The following resolutions was introduced and distributed according to Joint Rule 11:

By Rep. Blakeney:

H. R. 369. COMMENDING MRS. JANE M. MEGGINSON ON THE OCCASION OF HER 90TH BIRTHDAY.

Also:

The following resolution was introduced:

By Reps. Bugg, Coleman, Burke, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Cosby, Crow, Davis, Drake, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby:

H. J. R. 370. COMMENDING STATE REPRESENTATIVE EUCLID RAINS.

WHEREAS, it is in the highest commendation and sincere, personal pride that the Legislature of Alabama notes the selection of our friend and colleague, Representative Euclid Rains as the recipient of the Alumnus of the year Award of Snead State Junior College, Boaz, Alabama; and

WHEREAS, this prestigious distinction was bestowed on May 5, 1984, at awards ceremonies at the college's Fielder Auditorium; and

WHEREAS, Representative Rains, a graduate of Snead College, also is a graduate of the Alabama Institute for Deaf and Blind and of Jacksonville State University with the B.S. degree; and

WHEREAS, Mr. Rains, a former teacher, was the first alumnus of AIDB to serve on its Board of Trustees and he has further served his community and State as PTA president of Whiton Elementary School, president of New Harmony Rural Development Club and as a member of the

Alabama Commission on Aging and the Advisory Committee to Rehabilitation, among numerous others; and

WHEREAS, he also is a Mason and Shriner and a member of the Lions Club and Eastern Star; he is listed in such distinguished biographies as Who's Who in American Politics and International Biographical Profiles which is published in Cambridge, England, and distributed in more than fifty countries; and

WHEREAS, among other of his accomplishments are the Honorary Future Farmer of America designation in 1982, the 1981 Alabama Poultry and Egg Association Award, and the Defender of Biblical Morality Award in 1980 from Alabama Christian Education Association; and

WHEREAS, Representative Rains' achievements are truly legion in number, as are his contributions on local, state and national levels, most particularly in the areas of service to youth and the handicapped; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we stand in tribute to our distinguished colleague, Representative T. Euclid Rains of Albertville, Alabama; we further express highest praise of his numerous achievements and heartily congratulate him as Snead State Junior College's Alumnus of the Year.

BE IT FURTHER RESOLVED, That in token of our esteem and personal regard, a copy of this resolution shall be presented to Representative Rains.

On motion of Rep. Bugg, the rules were suspended and the resolution, H. J. R. 370, was adopted.

Also:

The following resolutions were introduced and distributed according to Joint Rule 11:

By Rep. McKee:

H. R. 371. COMMENDING THE ROBERT E. LEE HIGH SCHOOL WRESTLING TEAM.

Also:

By Rep. McKee:

H. R. 372. COMMENDING THE ROBERT E. LEE HIGH SCHOOL WRESTLING TEAM.

Also:

By Rep. McKee:

H. R. 373. COMMENDING HAROLD SYLVEST OF POULTRY PRODUCTS IN MONTGOMERY.

Also:

By Reps. McKee, Starr and Hooper:

H. R. 374. COMMENDING MR. CHARLES WHITEHURST, MONTGOMERY, ALABAMA, RECIPIENT OF THE LIBERTY BELL AWARD.

Also:

The following resolutions were introduced:

By Rep. Black:

H. J. R. 375. COMMENDING MRS. IRENE J. JONES FOR A LONG AND OUTSTANDING CAREER AS A PUBLIC SCHOOL TEACHER AND PIANO INSTRUCTOR AT LIVINGSTON, SUMTER COUNTY, ALABAMA

WHEREAS, it is with utmost commendation that the Legislature of Alabama notes the outstanding service that Mrs. Jones has rendered to students; and

WHEREAS, Mrs. Jones has served as a teacher in the Sumter County School System for more than thirty years; and

WHEREAS, Mrs. Jones devoted much of her time after school hours teaching piano students and working with church and community groups; and

WHEREAS, after Mrs. Jones had retired from the school system, she continued to help the various schools in the system with their music programs, teaching pupils in the afternoons and on weekends and sponsoring piano recitals for the community, NOW THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily commend Mrs. Jones for her long and outstanding service to the Livingston and Sumter County area.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Mrs. Irene Jones that she may know of our sincere and most heartfelt appreciation for her service to the Livingston and Sumter County Communities.

On motion of Rep. Black, the rules were suspended and the resolution, H. J. R. 375, was adopted.

Also:

By Rep. Black:

H. R. 376. AMENDING THE RULES OF THE HOUSE OF REPRESENTATIVES.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the Rules of the House are hereby amended as follows:

~~Rule 31a. Any bill providing for or dealing with parimutuel betting and any bill providing for or dealing with hazardous waste shall be treated as a general bill.~~

Rule 31a. Any bill providing for the establishment of a race track or hazardous waste dump shall be treated as a general bill. All other bills shall be treated as local legislation.

#### MOTION TO TEMPORARILY POSTPONE

Rep. Black offered the motion to temporarily postpone consideration of the resolution, H. R. 376.

SUBSTITUTE MOTION ADOPTED

The substitute motion offered by Rep. Coburn to indefinitely postpone the resolution, H. R. 376, was adopted.

Yeas 36; Nays 8.

*Yeas:*

Reps.: Adams, Bachus, Biddle, Blake, Blakeney, Britnell, Brooks, Burke, Carter, Clark (D), Clark (J), Cosby, Fuller, Gaston, Goodwin, Gray, Hammett, Harper, Harvey, Hettinger, Hooper, Johnson (R.G.), Kvalheim, Lauderdale, Marietta, Mathis, Mitchell, Onderdonk, Rains, Richardson, Smith, Starkey, Starr, Turner, White (F), and White (L).

—36

*Nays:*

Reps.: Black, Bryant, Buskey (John), Clark (W), Davis, Holmes, McDowell and Reed.

—8

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

H. R. 376 INDEFINITELY POSTPONED

The resolution, H. R. 376, was indefinitely postponed.

Also:

The following resolutions were introduced:

By Rep. Venable:

H. J. R. 377. COMMENDING THE MONTGOMERY WEATHER BUREAU STAFF FOR EXTRAORDINARY SERVICE.

WHEREAS, on Thursday, May 3, 1984, the Montgomery community was besieged by violence in the form of tornadoes, thunderstorms and devastating winds; and

WHEREAS, these destructive forces left six dead, scores injured and numerous more homeless, and property damage and destruction is at this point incalculable; and

WHEREAS, it is to be noted, however, that the loss of lives and property might well have been far worse had it not been for the staff of the Montgomery Weather Bureau (National Oceanic and Atmospheric Administration); and

WHEREAS, the Montgomery office—manned by Paul Pettit, Robert Devaughn, Carl Adamson, Wade Hilton, Jack Sewell, David Wilfing, Robert Gardner, Bill Johnson and Bill Franklin—maintained excellent communications with all appropriate agencies, thereby alerting the citizens of Montgomery to actual sightings and radar detection of approaching storm centers and possible tornadoes; and

WHEREAS, the Montgomery Weather Bureau is indeed deserving of highest praise for their response to this recent disaster, and it is to be ac-

knowledgeed that through their alertness and dedicated professionalism, many lives were saved; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby most highly commend the Montgomery office of the National Oceanic and Atmospheric Administration and direct that a copy of this resolution be forwarded to said staff and to the National Bureau in Washington, D.C.

On motion of Rep. Venable, the rules were suspended and the resolution, H. J. R. 377, was adopted.

Also:

By Reps. Buskey (John), Davis, Thomas, Buskey (James), McNair, Horn, Clark (W), McDowell, Rogers, Grayson, Holmes and Escott:

H. J. R. 378. RATIFYING HOUSE JOINT RESOLUTION 554 OF THE UNITED STATES CONGRESS, PROVIDING FOR REPRESENTATION OF THE DISTRICT OF COLUMBIA IN THE CONGRESS, BY PROPOSING A CONSTITUTIONAL AMENDMENT.

WHEREAS, the over 700,000 citizens of the District of Columbia are denied representation in the Congress and a correction of this injustice is long overdue; and

WHEREAS, a constitutional amendment is essential for such representation and statutory action alone will be insufficient, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama does hereby ratify and make application for House Joint Resolution 554, passed by the United States Congress on August 22, 1978, proposing a constitutional amendment to the Constitution to provide for representation of the District of Columbia in Congress.

FURTHER RESOLVED, That the said proposed amendment shall read:

#### "ARTICLE\_\_

"Section 1. For purposes of representation in the Congress, election of the President and Vice President, and article V of this Constitution, the District constituting the seat of government of the United States shall be treated as though it were a State.

"Section 2. The exercise of the rights and powers conferred under this article shall be by the people of the District constituting the seat of government, and as shall be provided by the Congress.

"Section 3. The twenty-third article of amendment to the Constitution of the United States is hereby repealed.

"Section 4. This article shall be inoperative, unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission."

BE IT FURTHER RESOLVED, That the said proposed amendment to the Constitution of the United States shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by Congress.



RESOLVED FURTHER, That the Clerk of the House is directed to send copies of this Joint Resolution to the Secretary of State and presiding officers of both Houses of the Legislatures of each of the other States in the Union, the Clerk of the United States House of Representatives, Washington, D.C., and the Secretary of the United States Senate, Washington, D.C., and to each member of the Alabama Congressional Delegation.

MOTION TO SUSPEND RULES LOST

The motion offered by Buskey (John) to suspend the rules and adopt the resolution, H. J. R. 378, was lost.

The resolution, H. J. R. 378, was read and referred to the Standing Committee on Rules.

Also:

The following resolutions were introduced and distributed according to Joint Rule 11:

By Reps. Preuitt, Johnson (R.G.), Payne and Moore:

H. R. 379. CONGRATULATING KEITH LAMAR WEST OF EIGHT MILE, ALABAMA.

Also:

By Rep. Preuitt:

H. R. 380. COMMENDING TALLADEGA COUNTY TRAINING SCHOOL'S BASKETBALL TEAM.

Also:

The following resolutions were introduced:

By Rep. Poole:

H. R. 381. AMENDING THE RULES OF THE HOUSE

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the Rules of the House are hereby amended to add a new Rule 24b to read as follows:

Rule 24b. Each member of the House shall be given a copy of the Special Education Trust Fund Budget and a copy of the General Fund Budget one Legislative Day before the budget is to be considered by the full House.

MOTION TO INDEFINITELY POSTPONE

Rep. Holley offered the motion to indefinitely postpone the resolution, H. R. 381.

SUBSTITUTE MOTION OFFERED

Rep. Poole offered the substitute motion to temporarily postpone the resolution, H. R. 381.

SUBSTITUTE MOTION TABLED

On motion of Rep. Coburn, the substitute motion offered by Rep. Poole, was tabled.

Yeas 29; Nays 28.

*Yeas:*

Mr. Speaker, Blake, Boles, Browder, Bugg, Campbell, Carothers, Clark (D), Clark (J), Coburn, Crow, Davis, Harvey, Holley, Holmes, Horn, Johnson (Roy), Junkins, Newman, Nicholson, Reed, Richardson, Rogers, Spratt, Starkey, Trammell, Warren, White (F) and Zoghby.

—29

*Nays:*

Reps.: Adams, Black, Blakeney, Box, Brooks, Bryant, Burke, Cosby, Flowers, Gaston, Gray, Grayson, Grouby, Hammett, Harper, Hooper, Laird, McKee, McMillan, Melton, Mikell, Parker, Payne, Poole, Preuit, Rice, Smith and Starr.

—28

#### H. R. 381 INDEFINITELY POSTPONED

The question was then on the motion offered by Rep. Holley to indefinitely postpone the resolution, H. R. 381, and the motion was adopted.

Yeas 38; Nays 27.

*Yeas:*

Mr. Speaker, Biddle, Blake, Boles, Britnell, Browder, Bugg, Campbell, Carothers, Clark (D), Clark (J), Coburn, Crow, Davis, Escott, Goodwin, Harvey, Holley, Holmes Horn, Johnson (Roy), Junkins, Lindsey, McDowell, Mathis, Melton, Mitchell, Newman, Nicholson, Reed, Richardson, Rogers, Spratt, Starkey, Trammell, Warren, White (F) and Zoghby.

—38

*Nays:*

Reps.: Adams, Box, Brooks, Bryant, Burke, Cosby, Dutton, Flowers, Gaston, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hooper, Laird, McKee, McMillan, Mikell, Parker, Payne, Poole, Rains, Rice, Smith and Starr.

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Also:

By Rep. Poole:

#### H. R. 382. AMENDING THE RULES OF THE HOUSE

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the Rules of the House are hereby amended to add a new rule 30a to read as follows:

Rule 30a. The members of the House shall vote by recorded vote on any legislation relating to any per diem, expense allowance, mileage or any pay or compensation whatsoever for members of the House.

#### MOTION TO INDEFINITELY POSTPONE LOST

The motion offered by Rep. Hall to indefinitely postpone the resolution, H. R. 382, was lost.

Yeas 22; Nays 52.

*Yeas:*

Mr. Speaker, Blake, Boles, Bowling, Box, Bryant, Buskey (James), Buskey

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(John), Clark (D), Clark (W), Coburn, Davis, Escott, Goodwin, Hall, Horn, Melton, Newman, Perdue, Rains, Rogers and Trammell.

—22

*Nays:*

Reps.: Adams, Bachus, Beers, Biddle, Britnell, Brooks, Browder, Burke, Butler, Carter, Cosby, Faulk, Flowers, Ford, Gaston, Gray, Grayson, Grouby, Hammett, Harper, Hettinger, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Mathis, Mikell, Mitchell, Nicholson, Parker, Payne, Penry, Poole, Preuitt, Rice, Seibels, Smith, Starr, Venable, Warren, White (F), White (G), and White (L).

—52

On motion of Rep. Poole the resolution, H. R. 382, was adopted.

Yeas: 62; Nays 19.

*Yeas:*

Mr. Speaker, Adams, Bachus, Beers, Biddle, Blake, Blakeney, Britnell, Brooks, Browder, Burke, Butler, Campbell, Carter, Cosby, Crow, Dutton, Faulk, Flowers, Ford, Gaston, Gray, Grayson, Grouby, Hammett, Harper, Hettinger, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Lauderdale, Lindsey, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Nicholson, Parker, Payne, Penry, Poole, Preuitt, Rice, Richardson, Seibels, Smith, Starkey, Starr, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—62

*Nays:*

Reps.: Albright, Boles, Box, Bryant, Buskey (James), Buskey (John), Clark (W), Davis, Escott, Hall, Horn, Newman, Perdue, Rains, Reed, Rogers, Spratt, Thomas and Trammell.

—19

S. 604 RE-REFERRED

No objection being offered, the Speaker re-referred the bill, S. 604, from the Standing Committee on Local Legislation No. 1, to the Standing Committee on Health.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 383. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That immediately upon adoption of this report, the following business in the order named be made the special and paramount order of business for Thursday, May 10, 1984, taking precedence over any other business of the House and any other pending Special Orders:

<u>Bill No.</u>	<u>Page</u>	<u>Sponsor</u>	<u>Short Title</u>
S. 537	61	Foshee	Uniform driver licenses

S. 380	58	Barron	Subchapter S Corporations; tax treatment
S. 538	24	Smith (Jim)	Burial policies
S. 227	48	Foshee	OPS; employees permitted to join retirement system
S. 252	8	Bedford	Hunter education course requirements
S. 534	44	Drinkard	Coosa Valley Development Authority
S. 93	27	Bennett	Tax deduction/computers donated to schools
S. 176	32	Denton	TVA Exhibit Commission
S. 312	26	Mitchem	Child custody/visitation rights/divorce decrees
S. 115	30	deGraffenried	401(k) retirement contributions
S. 535	37	Denton	Consensual agreements
S. 299	38	Cooley	Time to teach
S. 193	38	Corbett	School systems/workmen's compensation
S. 16	29	Holmes	State contracts executed in timely manner
S. 126	37	Bailey	Sick leave bank/permissive
S. 395	26	Goodwin	Sheriffs' minimum compensation
S. 372	35	Figures	LA-MISS-ALA Rapid Rail Transit
S. 20	30	Holmes	Small business/quick recovery on appeal
S. 128	8	Bailey	Employers selling alcoholic beverages to minors
S. 192	47	Foshee	Sec. of State; supplemental appropriation
S. 257	11	Goodwin	Pornography; selling & distributing; under 17 yrs.
S. 460	46	Smith (Jim)	Surplus state property/donations to volunteer ambulance services
S. 276	18	Smith (Jim)	Crime pkg; bid rigging a felony
S. 472	22	Dial	Forestry Commission Steering Committee
S. 514	49	Teague	State Bd. of Education; mbrs' expense allowance
S. 513	50	Goodwin	NCSL; membership dues
S. 351	34	Little	NCSL; tax exempt status on conventions held in Alabama
S. 285	3	Little	State Treasurer; check-writing machine
S. 287	4	Little	State Treasurer; destroying cancelled stat. warrants

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S. 546	61	Hand	Filling vacancies; merit system provisions
S. 414	62	Aldridge	Deputy sheriffs; minimum starting wage
S. 79	1	Langford	Primary election date change
S. 147	32	Drinkard	Vacation for 12 mos. employees
S. 158	48	Covington	Electric cooperatives exempted from Uniform Disposition of Unclaimed Property
S. 378	19	Holmes	Fireworks; further regulating
S. 328	40	Bedford	Probate judges; minimum compensation
S. 371	28	Goodwin	Supernumerary sheriffs; prior service
S. 79	1	Langford	Primary election date change
S. 254	33	Bedford	State parks; revolving fund
S. 399	17	Amari	Deceased employee's wages paid to heirs without probate
S. 15	43	Holmes	Small Business Procurement System; appropriation
S. 452	45	Langford	Retired state employees & teachers to continue coverage under group insurance plan
S. 98	19	Smith (Jim)	SIR bill; corrects typographical error
S. 275	6	Smith (Jim)	Life sentence without parole when death sentence is commuted to life
S. 113	24	Bedsole	Leave options/educators—legislators
S. 272	12	Smith (Jim)	Crime; minimum/maximum time of split sentence
S. 274	13	Smith (Jim)	Crime; DA's authorized to take depositions of Bryce Hospital officials
S. 370	23	Denton	USS ALABAMA BATTLESHIP COMMISSION; Amending Act
S. 121	39	Menton	Commercial Hook & Line saltwater fishing license increased
S. 81	4	Menton	Increases penalty for violation of various seafood laws
S. 325	34	Bennett	Textbooks/materials for kindergartens
S. 283	53	Bailey	Prescription drugs which are not controlled substances
S. 163	10	Little	Native farm winery; further defining

S. 86		<del>Cooley</del>	<del>Uniform Parentage Act Judiciary Committee</del>
S. 190	11	Little	Passing stopped school busses; penalties
S. 82	5	Denton	Nuisance; casting spotlight
S. 430	50	Goodwin	Law enforcement survivor's benefits
S. 184	16	Ellis	Municipalities; sets amount of bails
S. 446	42	Teague	Municipalities to establish health/accident insurance group
S. 449	54	Amari	Retarded offenders
S. 156	40	Little	Dog-fighting prohibited
S. 388	17	Cooley	Recording pornographic messages
S. 73	22	Barron	Non-resident annual & trip fishing license
S. 208		<del>Menton</del>	<del>Firefighters/police; medical research</del>
S. 226	I.P.P.	<del>Teague</del>	<del>Retired law enforcement officers; handgun</del>
S. 507	46	Foshee	Truck registration fees increased; PSC
S. 242	64	Bennett	Tannehill Furnace employees/workmen's comp
S. 72	56	Aldridge	State employees; moving expense allowance
S. 392	64	Covington	Blood donations; 17 year olds authorized
S. 382		<del>Bennett</del>	<del>Hazardous waste monitoring team</del>
S. 475	59	Figures	Africatown, USA State Historical Park
S. 256	6	Hilliard	Creating state Commission on Civil Rights
S. 306	3	Hilliard	Creating state commission known as Ala. Institute of Civil War History
S. 352	18	Hilliard	Alabama Village & Valley Creeks Flood Control Authority
S. 143	55	Langford	Annual voter registration day
S. 159	15	Langford	Codes which may be adopted by ordinance
S. 546	61	Hand	State employees merit system; amends Code
S. 558	62	Bishop	State employees insurance board
S. 476	63	Amari	Retirement systems; general administration
S. 452	45	Langford	Retired state employees/teachers; continue group insurance plan

S. 132	31	Langford	O.I.C.; members to participate in retirement system (Teachers)
S. 553	41	Hilliard	Municipalities; wharf construction
S. 554	41	Hilliard	Municipalities; change water courses
S. 235	65	Smith (Jim)	Alabama A & M University; flexibility for meetings of Board of Trustees
S. 582	65	Parsons	Municipal elections; date change

On motion of Rep. Johnson (Roy), the resolution, H. R. 383, was adopted.

### SPECIAL ORDER

The House then proceeded with the consideration of the bills on the Special Order Calendar.

And the bill:

S. 537. To amend Section 32-6-6, Code of Alabama 1975, relating to the contents of a driver's license, so as to provide for a standard sized driver's license and nondriver identification card, to levy an additional fee for the issuance of said standardized license and card and to provide for the disbursement of said money.

Was read a third time at length and passed.

Yeas 61; Nays 1.

Yeas:

Mr. Speaker, Beers, Blake, Blakeney, Box, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carter, Clark (D), Clark (W), Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Gaston, Goodwin, Gray, Grouby, Hettinger, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Lauderdale, McKee, McMillan, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Parker, Penry, Rice, Richardson, Rogers, Seibels, Smith, Spratt, Starkey, Starr, Trammell, Turner, Warren, White (F), White (L) and Zoghby.

—61

Nay: Rep. Holley.

—1

### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 46. To authorize the Chancellor of Postsecondary Education to establish multipurpose programs at designated two-year institutions to provide the necessary training, counseling, and services to enable displaced homemakers to experience economic security vital to productive lives; and to provide for the appointment of a director to administer the statewide network of multipurpose programs.

Also:

H. 54. Relating to Tallapoosa County; providing for a salary schedule for certain employees of the sheriff's department in said county and providing that such schedule shall have retroactive effect to October 1, 1983.

Also:

H. 119. Relating to Mobile County; authorizing the judge of probate to sell lists of voters to certain candidates and providing for the disposition of funds from said sales.

Also:

H. 294. To amend Section 36-21-2, Code of Alabama 1975, to increase the subsistence allowance paid to any state law enforcement officer of the state of Alabama who is employed by the department of public safety, department of conservation and natural resources, Alabama alcoholic beverage control board, department of agriculture and industries, Alabama Department of Forensic Sciences or the transportation enforcement division of the Alabama public service commission from \$5.00 per day to \$8.00 per day.

Also:

H. 332. To authorize any municipal or county governing body to create a communications district in the respective jurisdiction of such municipality or county for the purpose of establishing a local emergency telephone service, to provide for the governing body of the district, including its powers, and to provide for funding for such district, including provisions for levying an emergency telephone service charge.

Also:

H. 362. To provide for court ordered continuing income withholding by employers as a discretionary judicial means of enforcing restitution orders in criminal cases; to provide further that after notice and hearing such income withholding orders may also be issued for the enforcement of previously ordered restitution obligations which are delinquent; to provide further that other income or assets may be attached for the enforcement of restitution orders; to provide further that any court order requiring the withholding or attachment of assets or income may be modified or rescinded on certain conditions; to provide further for service of court orders withholding income or attaching assets; to provide further for service by certified mail, return receipt requested and for the taxing of costs of such service; to provide further that income withholding orders or orders attaching assets shall take precedence over subsequently issued garnishments or writs except as the same applies to the support of any dependent children of the defendant; to provide that no employer may discharge a person solely because of such order; and to provide that any person who refuses to comply with the order may be deemed to be in contempt of court and liable to the victim for amounts not withheld; and to provide for legislative findings, policy, and judicial construction.

Also:

H. 404. To further reapportion House District 40 and House District 41 of the Alabama legislature based upon the 1980 census.

Also:

H. 434. Relating to Montgomery County; to redivide said county into districts for the purpose of electing the county commission.



Also:

H. 588. To amend Section 37-3-4 of the Code of Alabama 1975, relating to motor vehicle carriers as to exempt motor vehicle carriers transporting coke from regulation by the public service commission.

Also:

H. 597. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Gulf Shores in Baldwin County.

Also:

H. 623. To make an appropriation for the support and maintenance of the Walker County Junior College for the fiscal year ending September 30, 1985.

Also:

H. 662. An Act relating to Geneva County providing that the Geneva County governing body shall supplement the salary of the District Judge from the County General Fund in the amount of \$3,600.00 per annum.

Also:

H. 671. Relating to Mobile County; to amend Sections 1, 2, 3, 4, 5, 6, 9, 10, 13, 15, 16 and 18 of Act No. 2431, H. 2569 Regular Session 1971 (acts 1971, p. 3880 et. seq.) as amended, which relates to all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census; to provide for and create a County Racing Commission for the regulation, licensing and supervision of dog racing and wagering thereon, etc., so as to provide further for the appointment, qualifications, terms and compensation of members of the racing commission and to provide for a maximum amount of time prior to expiration of a term that a racing commissioner may be appointed; to provide further for the duties and responsibilities of the treasurer of the racing commission; to provide further for the compensation of counsel for the racing commission; to provide further for the duty of racing commission to make certain annual reports; to provide further for age requirements of certain employees; to provide further for the issuance of permits or licenses; to provide for additional withholding from pari-mutuel pools in certain instances and to provide for the use thereof; to provide for additional pari-mutuel betting; and to provide for distribution of outstanding unredeemed mutuel tickets.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES  
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 696. Relating to the abandonment of the commission form of government by Class 7 municipalities; providing for the call of a referendum on the adoption of a mayor-council form of government with five (5) single-member districts; providing for the establishment of boundaries of districts, salaries of the mayor and council, and the call of the election of mayor and council; providing for the term of office of the initial mayor and council; providing the election laws to be applied; providing for reapportionment of council districts; providing for the preservation of other officers, their powers, duties, rights, privileges, and emoluments, for the preservation and transfer of all property owned by the municipality, all contracts in force, all legal proceedings, and pension funds; providing for the continuation of all subordinate agencies of the municipality and all ordinances; providing for an effective date of this act, the repeal of all conflicting laws, and the severability of the provisions of this act.

Also:

H. 715. To make appropriations for the support and maintenance of the Talladega College for the fiscal year ending September 30, 1985.

Also:

H. 743. To amend Sections 33-16-7, 33-16-9 and 33-16-11 of the Code of Alabama 1975 to authorize the Coosa Valley Development Authority to undertake certain additional types of obligations, to modify certain restrictions pertaining to the contractual obligations of said authority, to provide that certain contracts between said authority and the United States shall not be subject to certain requirements generally applicable to contracts of said authority and to clarify the respective responsibilities of said authority and the state docks department with respect to the provision and maintenance of river and canal terminals.

Also:

H. 757. Relating to Lauderdale County; designating the combination of offices of tax assessor and tax collector, pursuant to Act No. 81-606, H. 1084, 1981 Regular Session, as the Revenue Commissioner; providing further for the compensation, term, election and temporary appointment of said office.

Also:

H. 770. To approve the proposal of the City Council of the City of Enterprise in Coffee County to increase the rate at which ad valorem tax is levied in such city pursuant to Amendment No. 373 to the Constitution of Alabama of 1901.

Also:

H. 782. Providing for purging the lists of registered voters; requiring and prescribing the procedure for the reidentification of certain registered voters; providing for the appointment of deputy registrars to aid in the reidentification and registration of electors; placing certain duties on the board of registrars, judge of probate, and the the county governing body

relative to the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Also:

H. 798. Relating to Elmore County; to provide that the sheriff shall be entitled to the allowances payable by the state, county or municipalities for feeding prisoners housed in the Elmore County Jail; and to provide that the provisions of this Act shall be retroactive to January 18, 1983.

Also:

H. 803. Relating to the City of Prichard in Mobile County, Alabama; providing a certain reopening period for certain city employees and city library employees to become members of the "Municipal Employees Pension and Relief Fund" as provided for in Act No. 107, H. 150, of the 1956 Special Session (Acts 1956, p. 154), as amended, and prescribing rules and regulations relative to payment of necessary contributions to such fund for such employees who become members of such system as provided by this Act.

Also:

H. 814. Relating to Lee County: providing certain annual salaries for the probate judge, sheriff, tax assessor, and tax collector.

Also:

H. 831. Relating to Houston County; providing for a certain additional monthly expense allowance for the county coroner which shall terminate on December 31, 1986; providing for a certain monthly salary for such coroner to be effective at the beginning of the next term of office with such salary to be in lieu of all salaries and expense allowances heretofore provided by law for such coroner; authorizing the county commission to pay any operating expenses for such coroner's office retroactive to October 1, 1970; authorizing said coroner to appoint a deputy coroner to serve in his absence and specifically repealing certain conflicting laws.

Also:

H. 866. To amend Section 1 of Act No. 83-714, H. 916, of the 1983 Regular Session of the Legislature (Acts 1983, p. 1160), relating to licensing of retailers of alcoholic beverages in Shelby County, Alabama, so as to provide further for such licensing.

Also:

H. 925. Relating to Autauga County, granting discretionary authority to each member of the county commission to assume certain additional duties heretofore performed by a district county commission foreman and prescribing the annual salaries of the members of the county commission.

Also:

H. 902. To propose an amendment to the Constitution of Alabama of 1901 providing that certain securities issued by or on behalf of the Alabama State Docks Department shall not constitute debts of the State within the meaning of any state constitutional provision.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

time as county commissioner, shall receive compensation for serving as such officer; that is less than \$20,000.00 per year. No county commissioner serving as such officer in any county with a total population of 12,000 people or greater according to the 1980 federal decennial census and that is required by local law to serve full time as county commissioner shall receive compensation for serving as such officer that is less than \$25,000.00 per year. No county commission chairman that is required by local law to serve full time as county commission chairman; shall receive compensation for serving as such officer, that is less than \$25,000.00 \$35,000.00 per year.

(d) The provisions of this section shall in no way affect reduce the compensation of county commissioners or county commission chairmen whose compensation is in excess of the minimum provided herein. Nor shall such provisions in any way affect subsequent local laws or general laws which provide compensation in excess of such minimums. Nor shall such provisions apply unless approved by a resolution and signed by a majority of the county governing body. The provisions of this section shall in no way affect the compensation of probate judges. All compensation affected hereby shall be payable from the respective county's general fund or any other such fund from which such officer's compensation may now be paid by law.

(e) The provisions of this section which serve to increase any commissioner's or county commission chairman's compensation shall not take effect until the first day of the next term of office for such official; provided, however, where the county commission members' terms do not run concurrently, any increase provided under this section shall become effective as to all such members thereof immediately after the expiration of the term or terms of office of the member or members whose term or terms first expire.

~~(f) - The other provisions of this section notwithstanding, the provisions of this section which serve to increase any commissioner's or county commission chairman's compensation shall not take effect unless said county commission is complying with any local section which requires payment of any judicial supplement.~~

(f) An up-to-date public record of all reimbursable traveling expenses paid to county commissioners from time to time shall be maintained as a public record. All automobiles leased or owned by the county and assigned to county commissioners shall be used only for conducting county business and shall bear only the special county license tag issued for use on county vehicles."

Section 2. (a) No revenue commissioner shall receive compensation for serving as such officer, that is less than \$30,000.00 per year.

(b) The term "revenue commissioner" as used in this section shall mean any county official whose office has been established pursuant to the Constitution or laws of this state and whose duties of office include those formerly performed by both the offices of tax assessor and tax collector which offices have been abolished in that county.

(c) The term "compensation" as used in this section shall mean all salary, expense allowance or any other compensation received for serving as revenue commissioner but shall not include any reimbursement for mileage traveled or actual and necessary expenses incurred which are otherwise payable by law.

(d) The provisions of this section shall in no way affect the compensation of revenue commissioners whose compensation is in excess of the minimum provided herein. Nor shall such provisions in any way affect subse-

issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to make the securities issued by any such Authority eligible investments for various governmental bodies and fiduciaries; to provide that any such Authority may, in its discretion, publish a notice of the adoption of a resolution authorizing the issuance of bonds by such Authority, and to provide that any action or proceeding questioning the validity of such bonds, or any pledge, mortgage and deed of trust or trust indenture securing the same, or the proceedings authorizing the same, must be commenced within thirty (30) days after the first publication of said notice; to exempt the income of any such Authority, and all conveyances, leases, mortgages and deeds of trust to which any such Authority is a party, from all taxation in the state except for state ad valorem taxes; to exempt every such Authority from all license and excise taxes imposed in respect of the privilege of engaging in any of the activities in which an Authority may engage, except for state sales and use taxes, and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from all laws of the State governing usury or prescribing or limiting interest rates; to exempt every such Authority from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to exempt every such Authority from the supervision and control of state agencies, in particular the State Department of Finance; to provide for the disposition of the earnings, if any, of any such Authority; to provide for the dissolution of any such Authority and the disposition of its property; to limit to one the number of such Authorities which may exist in any municipality at any one time; to give the Authority the power of eminent domain; and to authorize political subdivisions, agencies, instrumentalities and public corporations of the state to aid the Authority with loans or grants of money, the furnishing of services or the transfer of property to the Authority without any public election; to require the treasurer to obtain a fidelity bond equal to the amount of any public funds held by the Authority; to require compliance with the competitive bid law with respect to any projects receiving public funds; and to require a public hearing prior to the expenditure of any public funds.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

#### SPECIAL ORDER RESUMED

And the bill:

S. 380. To allow certain foreign corporations which qualify for S corporation treatment under the Internal Revenue Code to pass the tax treatment through to shareholders as provided by the Internal Revenue Code instead of being taxed as provided by Section 40-18-31, Code of Alabama

1975, on the entire net income of the corporation; and to provide for the determination of the amount of taxable income for such corporations.

Was taken up.

#### AMENDMENT OFFERED

Rep. Johnson (Roy) offered the following amendment to the bill, S. 380:

Amend S. 380, the title, page 1, line 11, after the word "foreign" by inserting the following: and domestic

Also, on page 1, Section 1, line 21, after the word "foreign" by inserting the following: or domestic

Also, on page 1, Section 1, line 24, by striking line 24 in its entirety and inserting in lieu thereof sales

#### AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker, Albright, Bachus, Beers, Biddle, Blake, Blakeney, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (W), Cosby, Crow, Davis, Escott, Faulk, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Lauderdale, Lindsey, McDowell, McMillan, McNair, Marietta, Mathis, Melton, Mikell, Mitchell, Newman, Nicholson, Parker, Perdue, Poole, Preuitt, Reed, Rice, Richardson, Rogers, Seibels, Smith, Spratt, Starkey, Starr, Trammell, Turner, Warren, White (F), White (G), White (L), and Zoghby.

—73

#### AMENDMENT OFFERED

Rep. Johnson (Roy) offered the following amendment #2 to the bill, H. 380 as amended:

Amend S. B. 380 on page 1, Section 1, line 25 by deleting the figure \$15--million and inserting in lieu thereof the figure \$10 million.

#### AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker, Adams, Beers, Biddle, Blake, Blakeney, Boles, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Escott, Faulk, Gaston, Gray, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Lauderdale, Lindsey, McMillan, McNair, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Perdue, Poole, Pratt, Preuitt, Rice, Richardson, Seibels, Smith, Spratt, Starkey,

Starr, Trammell, Turner, Warren, White (F), White (G), White (L) and Zoghby.

—72

And the bill, S. 380 as amended, was read a third time at length and passed.

Yeas 77; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Blake, Blakeney, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Escott, Faulk, Ford, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Lauderdale, Lindsey, McMillan, McNair, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Perdue, Poole, Pratt, Preuitt, Reed, Rice, Richardson, Rogers, Seibels, Smith, Spratt, Starkey, Starr, Trammell, Turner, Warren, White (F), White (G), White (L) and Zoghby.

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And the bill:

S. 538. To amend Chapter 17 of Title 27, Code of Alabama 1975, by adding a new section to modify the method of calculating reserves on burial insurance policies.

Was read a third time at length and passed.

Yeas 70; Nays 1.

*Yeas:*

Mr. Speaker, Adams, Bachus, Beers, Blake, Blakeney, Britnell, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Escott, Faulk, Flowers, Ford, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Lauderdale, Lindsey, McMillan, Marietta, Mathis, Melton, Moore, Newman, Nicholson, Parker, Perdue, Poole, Pratt, Preuitt, Rice, Richardson, Rogers, Seibels, Smith, Spratt, Starkey, Starr, Trammell, Turner, Warren, White (F), White (G), White (L) and Zoghby.

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*Nay:* Rep. Brooks.

—1

#### PERMISSION GRANTED

Permission was granted for the Journal to show that Rep. Mitchell abstained from voting on the bill, S. 538, due to possible conflict of interest.

And the bill.

S. 227. To amend Sections 12-17-231 and 12-17-233, Code of Alabama 1975, relating to the Office of Prosecution Services, so as to provide that employees of said office shall be eligible for membership in the state employees' retirement system; to authorize legislative appropriations to the office; and to further define the program of the Office of Prosecution Services.

Was read a third time at length and passed.

Yeas 68; Nays 0.

*Yeas:*

Mr. Speaker, Bachus, Beers, Blake, Blakeney, Britnell, Brooks, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carothers, Clark (D), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Escott, Faulk, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Lauderdale, Lindsey, Marietta, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Seibels, Smith, Spratt, Starkey, Trammell, Turner, Warren, White (F), White (G), White (L) and Zoghby.

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#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 224. CREATING THE CALHOUN COUNTY ELECTED AND APPOINTED OFFICIALS SALARY COMMISSION.

Also:

S. J. R. 229. COMMENDING MR. WILLIAM H. (ZEKE) KIMBROUGH, DISTINGUISHED ALABAMA EDUCATOR.

Also:

S. J. R. 230. COMMENDING ST. JOHN'S EPISCOPAL CHURCH, MONTGOMERY, ALABAMA, ON THE OCCASION OF ITS SESQUICENTENNIAL, FOR ITS OUTSTANDING CONTRIBUTIONS TO THE CITY AND STATE.

Also:

S. J. R. 231. COMMENDING COLUMBIA GENERAL HOSPITAL, ANDALUSIA, ALABAMA.

Also:

S. J. R. 232. COMMEMORATING THE 100th ANNIVERSARY OF THE BIRTH OF HARRY S. TRUMAN, 33rd PRESIDENT OF THE UNITED STATES OF AMERICA.

Also:

S. J. R. 233. COMMENDING THOMASVILLE HOSPITAL, THOMASVILLE, ALABAMA.

Also:

S. J. R. 234. RECOGNIZING DOCTOR JAMES H. SAMMONS, EXECUTIVE VICE-PRESIDENT, AMERICAN MEDICAL ASSOCIATION.

Also:

S. J. R. 235. MOURNING THE DEATH OF MR. JOHN HERBERT ORR OF OPELIKA, ALABAMA.



Also:

S. J. R. 236. DESIGNATING THE WEEK BEGINNING MAY 6, 1984, AS "CORRECTIONAL OFFICERS WEEK", TO RECOGNIZE THE DEDICATION AND PROFESSIONALISM EXPRESSED BY ALABAMA CORRECTIONAL OFFICERS.

Also:

S. J. R. 247. COMMENDING MR. HALL W. THOMPSON OF BIRMINGHAM AND HIS ALABAMA SHOWPLACE—SHOAL CREEK.

McDOWELL LEE,  
Secretary.

#### SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed Senate Joint Resolutions, the titles of which are set out in the above and foregoing report of the Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 669. To empower any city or town in this State to acquire, improve and equip land, buildings and other facilities for use by the United States Postal Service; to provide for the financing of costs of such acquisition; improvement and equipment, either as the sole purpose of such financing or combined with any other lawful purpose or purposes; and to provide for the leasing of such land, buildings and facilities to the United States Postal Service.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 145. NAMING THE HEALTH AND ARTS BUILDING AT ALEXANDER CITY STATE JUNIOR COLLEGE, THE "W. BYRON CAUSEY HEALTH EDUCATION AND ARTS COMPLEX."

Also:

H. J. R. 164. EXTENDING THE LIFE AND REPORTING DATE OF THE LEGISLATIVE JOINT INTERIM COMMITTEE TO STUDY VOCATIONAL EDUCATION.

Also:

H. J. R. 184. CONGRATULATING THE HUMANA HOSPITAL EAST MONTGOMERY ON BECOMING ACCREDITED IN 1983 BY THE JOINT COMMISSION ON ACCREDITATION OF HOSPITALS AND PROVIDING THE OPTIMAL STANDARD OF CARE FOR THE CITIZENS OF ALABAMA.

Also:

H. J. R. 195. URGING THE UNITED STATES POSTAL SERVICE TO RESCIND ITS SUSPENSION OF OPERATIONS OF THE MOORESVILLE, ALABAMA, POST OFFICE.

Also:

H. J. R. 273. RATIFYING THE OCTOBER 14, 1983, AGREEMENT OF MUTUAL ASSISTANCE BETWEEN THE CHINA EXTERNAL TRADE DEVELOPMENT COUNCIL OF THE REPUBLIC OF CHINA AND THE STATE OF ALABAMA OF THE UNITED STATES OF AMERICA.

Also:

H. J. R. 321. RESPECTFULLY REQUESTING PRESIDENT RONALD REAGAN TO APPOINT AN ALABAMIAN TO FILL THE VACANCY CURRENTLY EXISTING ON THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 81. CREATING THE ALABAMA HISTORICAL RECORDS ADVISORY BOARD LEGISLATIVE OVERSIGHT COMMITTEE.

Also:

H. J. R. 133. DIRECTING THAT THE STATE ATHLETIC ASSOCIATION SHALL PRESCRIBE GUIDELINES FOR PUBLIC HIGH SCHOOL ATHLETES AND ATHLETIC DIRECTORS FOR TRAINING DURING CERTAIN SEASONS.

Also:

H. J. R. 215. NAMING H. B. 13 OF THE REGULAR SESSION 1984 THE "JOHN ROGERS ACT."

Also:

H. J. R. 264. COMMENDING OUR GRACIOUS CAPITOL HOSTESS, MRS. MARIE WALKER.

Also:

H. J. R. 277. COMMENDING COACH RALPH C. CHAMPION AND NAMING THE NEW GYM AT CENTRAL JUNIOR HIGH SCHOOL, MADISON COUNTY, ALABAMA, "THE RALPH C. CHAMPION GYM".

Also:

H. J. R. 279. MOURNING THE DEATH OF STATE REPRESENTATIVE GEORGE H. GRIMSLEY OF HALEBURG, HENRY COUNTY, ALABAMA.

Also:

H. J. R. 293. MOURNING THE DEATH OF MR. JAMES BOWEN CARROLL OF CROSSVILLE, ALABAMA.

Also:

H. J. R. 300. CONGRATULATING OUR COLLEAGUE, REPRESENTATIVE SONNY MOORE.

Also:

H. J. R. 312. COMMENDING MR. JOHN W. HUNT WITH THE ALABAMA DEPARTMENT OF PENSION AND SECURITY'S BUREAU OF FOOD ASSISTANCE.

Also:

H. J. R. 313. COMMENDING SCOTT F. GRANGER OF COOSADA, ALABAMA, FOR OUTSTANDING ACHIEVEMENT

Also:

H. J. R. 316. NAMING ALABAMA HIGHWAY 95, FROM ABBEVILLE TO GORDON, ALABAMA, THE "GEORGE H. GRIMSLEY HIGHWAY."

Also:

H. J. R. 320. COMMENDING THE CITY OF SYLACAUGA ON ITS FOUNDING 150 YEARS AGO.

Also:

H. J. R. 323. MOURNING THE DEATH OF MR. JOSEPH WILDER, CARPENTER, FARMER AND COMMUNITY LEADER OF MANTUA, GREENE COUNTY, ALABAMA.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 271. COMMENDING MRS. FAY BUNCH, STATE PRESIDENT OF THE VETERANS OF FOREIGN WARS LADIES AUXILIARY.

Also:

H. J. R. 290. MOURNING THE DEATH OF MRS. JESSIE RUTH WASHINGTON, RETIRED TEACHER AND COMMUNITY LEADER OF MELVIN, CHOCTAW COUNTY, ALABAMA.

Also:

H. J. R. 291. COMMENDING MRS. NELLIE WEIL OF MONTGOMERY, ALABAMA.

Also:

H. J. R. 292. COMMENDING LIZ NUSBAUM OF ROBERT E. LEE HIGH SCHOOL, MONTGOMERY, ALABAMA.

Also:

H. J. R. 294. COMMENDING THE LEGISLATIVE CUSTODIAL STAFFS.

Also:

H. J. R. 296. COMMENDING MR. LEONARD A. HALL OF MONTGOMERY, ALABAMA, THE OAK STREET A.M.E. ZION CHURCH MAN OF THE YEAR.

Also:

H. J. R. 297. COMMENDING COACH RAY WILLIAMS OF BIRMINGHAM'S WEST END HIGH SCHOOL.

Also:

H. J. R. 299. DESIGNATING JUNE 3-9, 1984, AS SAFE BOATING WEEK IN ALABAMA.

Also:

H. J. R. 301. COMMENDING THE REVEREND ISAAC LEON FORBES, PASTOR, MAGGIE STREET BAPTIST CHURCH, MONTGOMERY, ALABAMA.

Also:

H. J. R. 310. COMMENDING THE HEWITT-TRUSSVILLE JUNIOR HIGH SCHOOL WRESTLING TEAM AND COACH MARK LASSETER.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The State has concurred in and adopted the House amendment to the following Resolution:

S. J. R. 214. CHANGING THE COMPOSITION OF THE SELECT JOINT NUCLEAR ENERGY ACTIVITIES AND HAZARDOUS CHEMICAL TOXIC WASTE OVERSIGHT COMMITTEE BY ADDING TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES TO BE APPOINTED BY THE SPEAKER AND THREE MEMBERS OF THE SENATE TO BE APPOINTED BY THE LIEUTENANT GOVERNOR.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 67. CREATING A JOINT INTERIM LEGISLATIVE CHILDREN AND YOUTH STUDY COMMITTEE.

McDOWELL LEE,  
Secretary.

SPECIAL ORDER RESUMED

And the bill:

S. 252. To require all persons born on or after October 1, 1971, and of 16 years of age or older to present certification of satisfactory completion of an approved hunter education course at the time of obtaining any annual or trip hunting license provided for in this chapter; to prohibit the issuance of any annual or trip hunting licenses to said persons without said certification; to prohibit hunting by persons born on or after October 1, 1971, and of 16 years of age or older pursuant to any lifetime Alabama hunting license without obtaining said certification; to prohibit the illegal or fraudulent obtaining of said certification; to allow promulgation of a license and/or certification revocation procedure; to allow the Department of Conservation and Natural Resources to prescribe a course of instruction and an instructor certification procedure, and to approve other courses; to provide penalties for violation of this act.

Was taken up.

MOTION TO POSTPONE

Rep. Turner offered the motion to postpone the bill, S. 252, to the thirtieth legislative day.

MOTION TO TABLE LOST

The motion offered by Rep. Carothers to table the motion to postpone offered by Rep. Turner, was lost.

Yeas 31; Nays 34.

Yeas:

Reps.: Bachus, Beers, Biddle, Brooks, Browder, Burke, Butler, Carothers, Carter, Coleman, Cosby, Crow, Dutton, Grouby, Hooper, Junkins, Lauderdale, Lindsey, McMillan, McNair, Mathis, Mitchell, Newman, Perdue, Rogers, Smith, Starkey, Starr, Venable, Warren and White (L).

—31

Nays:

Reps.: Black, Blakeney, Boles, Box, Britnell, Buskey (James), Clark (D), Clark (J), Clark (W), Davis, Goodwin, Gray, Hall, Hammett, Holley, Horn, Johnson (Roy), McKee, Melton, Mikell, Nicholson, Onderdonk, Parker, Pratt, Preuitt, Rains, Sasser, Seibels, Spratt, Trammell, Turner, White (F), White (G) and Zoghby.

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MOTION TO POSTPONE LOST

The question was then on the motion offered by Rep. Turner to postpone the bill, S. 252, to the thirtieth legislative day, and the motion was lost.

Yeas 36; Nays 42.

Yeas:

Reps.: Albright, Biddle, Blake, Blakeney, Boles, Bowling, Box, Bryant, Buskey (James), Buskey (John), Clark (D), Clark (W), Davis, Escott, Goodwin, Gray, Holley, Horn, Johnson (Roy), McDowell, McKee, Marietta,

Melton, Moore, Nicholson, Onderdonk, Pratt, Preuitt, Sasser, Seibels, Spratt, Thomas, Trammell, Turner, White (F) and Zoghby.

—36

*Nays:*

Mr. Speaker, Adams, Bachus, Britnell, Brooks, Browder, Bugg, Butler, Carothers, Carter, Coleman, Cosby, Crow, Dutton, Faulk, Grouby, Harper, Hettinger, Hooper, Johnson (R.G.), Junkins, Laird, Lauderdale, Lindsey, McMillan, McNair, Martin, Mathis, Mikell, Mitchell, Newman, Parker, Penry, Perdue, Rains, Rogers, Smith, Starkey, Starr, Warren, White (G) and White (L).

—42

#### AMENDMENT OFFERED

Rep. Onderdonk offered the following amendment to the bill, S. 252:

Amend S. B. 252 by inserting a new Section 3 on page 3 and renumbering the present Section 3, and all subsequent sections accordingly, viz:

Section 3. The provisions of this act shall not apply to any person who has purchased a lifetime hunting license before the effective date of this act.

#### AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 55; Nays 0.

*Yeas:*

Mr. Speaker, Biddle, Blake, Boles, Bowling, Box, Britnell, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (J), Clark (W), Coleman, Crow, Davis, Dutton, Goodwin, Gray, Grouby, Hammett, Hettinger, Johnson (R.G.), Junkins, Lauderdale, Lindsey, Marietta, Mathis, Melton, Mikell, Moore, Newman, Nicholson, Penry, Preuitt, Reed, Rice, Richardson, Rogers, Sasser, Smith, Starkey, Starr, Trammell, Turner, Venable, Warren, White (F), White (G), White (L), and Zoghby.

—55

#### AMENDMENT OFFERED

Rep. Onderdonk offered the following amendment #2 to the bill, S. 252 as amended:

Amend Senate Bill 252 on Page 3, Section 1, Subsection (g), line 23 by changing the period to a semicolon and adding the following:

provided however, the provisions of this Act shall not apply to any person or member of his immediate family who hunts on lands owned by him, nor shall it apply to any tenant or member of his immediate family who hunts on lands leased or rented by such tenant and who resides on such lands, or to any person who is actively serving as a member of the Armed Forces of the United States of America.

#### MOTION TO POSTPONE

Rep. Holley offered the motion to temporarily postpone further consideration of the bill, S. 252 as amended, and the pending amendment.

MOTION TO TABLE LOST

The motion offered by Rep. Carothers to table the motion to postpone offered by Rep. Holley, was lost.

Yeas 30; Nays 36.

*Yeas:*

Reps.: Adams, Bowling, Brooks, Browder, Butler, Carothers, Carter, Clark (J), Coleman, Cosby, Crow, Dutton, Faulk, Grouby, Hammett, Hettinger, Johnson (R.G.), Kvalheim, Lauderdale, Lindsey, McDowell, McKee, McMillan, Mathis, Mikell, Newman, Penry, Richardson, Venable and Warren.

—30

*Nays:*

Reps.: Beers, Biddle, Blake, Blakeney, Boles, Box, Bryant, Buskey (James), Buskey (John), Clark (D), Clark (W), Davis, Escott, Goodwin, Gray, Holley, Horn, Johnson (Roy), Junkins, Marietta, Melton, Nicholson, Onderdonk, Preuitt, Rains, Rice, Sasser, Seibels, Spratt, Starkey, Thomas, Trammell, Turner, White (F), White (G) and Zoghby.

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S. 252 TEMPORARILY POSTPONED

The question was then on the motion offered by Rep. Holley to temporarily postpone further consideration of the bill, S. 252 as amended, and the pending amendment, and the motion was adopted.

Yeas 40; Nays 32.

*Yeas:*

Reps.: Beers, Biddle, Blake, Blakeney, Boles, Box, Bryant, Buskey (James), Buskey (John), Clark (D), Clark (W), Davis, Escott, Gaston, Goodwin, Gray, Grayson, Holley, Hooper, Horn, Johnson (Roy), Kvalheim, McKee, Marietta, Melton, Nicholson, Onderdonk, Payne, Preuitt, Rice, Sasser, Seibels, Spratt, Starkey, Thomas, Trammell, Turner, White (F), White (G) and Zoghby.

—40

*Nays:*

Reps.: Adams, Bowling, Brooks, Browder, Butler, Campbell, Carothers, Carter, Coleman, Cosby, Crow, Dutton, Faulk, Grouby, Hammett, Harper, Hettinger, Johnson (R.G.), Lauderdale, Lindsey, McDowell, McMillan, Mathis, Mikell, Newman, Penry, Rains, Richardson, Smith, Starr, Venable and Warren.

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RESOLUTIONS

The following resolutions were introduced:

By Rep. Johnson (Roy):

H. J. R. 384. BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That when we adjourn today, Thursday, May 10, 1984, we adjourn to meet again on Monday, May 21, 1984.

On motion of Rep. Johnson (Roy), the rules were suspended and the resolution, H. J. R. 384, was adopted.

Also:

By Rep. Johnson (Roy):

H. R. 385. BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That when we adjourn today, Thursday, May 10, 1984, we adjourn to meet again on Monday, May 21, 1984, at 10:00 a.m.

On motion of Rep. Johnson (Roy), the rules were suspended and the resolution, H. R. 385, was adopted.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Teague:

S. J. R. 249. COMMENDING THE GIRLS' TRACK AND FIELD TEAM AT THE ALABAMA SCHOOL FOR THE DEAF.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Rep. Holley, the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 249, the title of which is set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill returns same herewith to the House:

H. 309. To reopen the State of Alabama retirement systems for certain military service; to provide that as a prerequisite to obtaining such credit, said members must be active and contributing members of any of the State of Alabama retirement systems; to provide for the payment by the members of such service; and to provide for its termination.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Rep. Clark (J), the House concurred in and adopted the Senate amendment to the bill, H. 309, said Senate amendment being as follows:

Amend House Bill No. 309, Page 2 Line 24, strike "1985" and insert in lieu thereof "1986." Line 32, strike "1985" and insert in lieu thereof "1986." Line 34, strike "1985" and insert in lieu thereof "1986."

Yeas 62; Nays 0.



*Yeas:*

Mr. Speaker, Black, Blake, Blakeney, Boles, Bowling, Box, Britnell, Brooks, Bryant, Bugg, Buskey (James), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Cosby, Crow, Davis, Escott, Gaston, Goodwin, Gray, Grayson, Hammett, Harper, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Newman, Parker, Penry, Perdue, Poole, Rains, Richardson, Rogers, Sasser, Smith, Spratt, Starr, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—62

## RESOLUTIONS

The following resolution was introduced:

By Rep. Penry:

H. R. 386. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That we recess from 6:00 to 7:30 PM for dinner on Thursday, May 10, 1984,

## MOTION TO SUSPEND RULES LOST

The motion offered by Rep. Penry to suspend the rules and adopt the resolution, H. R. 386, was lost.

And the resolution, H. R. 386, was read and referred to the Standing Committee on Rules.

Also:

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Escott:

H. R. 387. COMMENDING MR. LAMAR HIGGINS FOR HIS ACCOMPLISHMENTS.

## SPECIAL ORDER RESUMED

And the bill:

S. 93. To provide for and define an additional income tax deduction for a qualified charitable contribution and for a qualified research contribution of certain personal property which is computer, scientific or technological equipment, as defined to any public educational institution, grades 1-12, 2-year and 4-year institutions of higher education, vocational and technical schools and colleges; to prescribe the conditions and calculations for such deductions; to provide that the same property does not qualify for more than one deduction; and to provide that such deductions are not applicable for individuals.

Was read a third time at length and passed.

Yeas 75; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Beers, Black, Blake, Blakeney, Boles, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Cosby, Crow, Davis, Dutton, Escott, Faulk, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Harvey, Hettinger,

Holley, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Laird, Lauderdale, Lindsey, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Preuitt, Rains, Reed, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

—75

And the bill:

S. 176. (With Amendment): To provide facilities for displaying certain exhibits in cooperation with the Tennessee Valley Authority; to create the Tennessee Valley Authority Exhibit Commission of Alabama as an agency of the State of Alabama and to provide for its membership, terms, authority and duties; to authorize the issuance of revenue bonds to make an appropriation, for the fiscal year ending September 30, 1986, from certain funds received by the state in lieu of the payment of taxes pursuant to Title 40, Chapter 28, Code of Alabama 1975, and to amend Section 40-28-2, Code of Alabama 1975, therefor; to authorize the allocation and expenditure of funds; and to provide exemptions from all taxes.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend Senate Bill 176 on pages 7, 8 and 9 by deleting Section 9 in its entirety and renumbering the subsequent sections.

Further amend Senate Bill 176 on page 1 on line 17 after the word "bonds" by deleting the rest of line 17, all of lines 18 through 21 and deleting on line 22 the words "1975 therefor".

And the amendment was adopted.

Yeas 70; Nays 1.

Yeas:

Mr. Speaker, Adams, Blake, Blakeney, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (J), Clark (W), Coburn, Cosby, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Gray, Grouby, Hammett, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McKee, Marietta, Mathis, Melton, Mikell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Preuitt, Rains, Reed, Richardson, Rogers, Sasser, Smith, Starkey, Starr, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—70

Nay: Rep. Grayson.

—1

And the bill, S. 176 as amended, was read a third time at length and passed.

Yeas 77; Nays 2.

Yeas:

Mr. Speaker, Adams, Black, Blake, Blakeney, Boles, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell,

Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Gray, Grouby, Hammett, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McKee, Marietta, Martin, Mathis, Melton, Mikell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Preuitt, Rains, Reed, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), and Zoghby.

—77

*Nays:* Reps. Grayson and Hall.

—2

And the bill:

S. 312. To provide further for venue with respect to filing petitions to modify divorce decrees relating to child custody and visitation rights.

Was read a third time at length and passed.

Yeas 70; Nays 2.

*Yeas:*

Mr. Speaker, Adams, Blake, Blakeney, Boles, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Faulk, Flowers, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Johnson (R.G.), Johnson (Roy), Kvalheim, Laird, Lauderdale, Lindsey, McKee, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Perdue, Poole, Preuitt, Rains, Reed, Richardson, Rogers, Sasser, Smith, Starkey, Starr, Trammell, Turner, Venable, Warren, White (G), and Zoghby.

—70

*Nays:* Reps. Bachus and Holley.

—2

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 483. To amend Section 40-23-4 of the Code of Alabama 1975, as heretofore amended, which provides for certain exemptions from sales taxes, so as to exempt from sales taxation the gross proceeds from sales of admissions to certain national championship sporting events that are held in the State of Alabama and hosted by not for profit corporations organized and existing under the laws of the State of Alabama.

McDOWELL LEE,  
Secretary.

#### SPECIAL ORDER RESUMED

And the bill:

S. 115. To redefine the term "gross income" as prescribed in Title 40, Chapter 18, Article 14, Code of Alabama 1975, relating to gross income exclusions, to conform Alabama income tax exclusions to Federal income tax exclusions of employer contributions on behalf of an employee to a trust which is part of a qualified cash or deferred arrangement (as defined in 26

USCA 401(k) (2)) under which the employee has an election whether the contribution will be made to the trust or received by the employee in cash or of employer contributions for an employee for an annuity contract (as provided in 26 USCA 403 (b)); to provide the provisions of this act shall be construed in pari materia with other law or parts of laws relating to income tax exclusions except where there is a direct conflict; and to provide an effective date.

Was read a third time at length and passed.

Yeas 75; Nays 1.

*Yeas:*

Mr. Speaker, Adams, Bachus, Black, Blake, Blakeney, Boles, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kvalheim, Laird, Lauderdale, Lindsey, McKee, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Perdue, Poole, Preuitt, Rains, Reed, Richardson, Rogers, Sasser, Smith, Starkey, Starr, Trammell, Turner, Venable, Warren, White (G), and Zoghby.

—75

*Nay:* Rep. Holley.

—1

And the bill:

S. 535. To amend Section 6-10-126, Code of Alabama 1975, that provides for exemption of certain personal property from levy of an execution or attachment so as to provide that the exemption does not apply to certain personal property pledged in a consensual security agreement.

Was read a third time at length and passed.

Yeas 78; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Bachus, Black, Blake, Blakeney, Boles, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Faulk, Flowers, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kvalheim, Laird, Lauderdale, Lindsey, McKee, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Preuitt, Rains, Reed, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—78

And the bill:

S. 299. To provide each teacher employed by county and city boards of education and the Alabama Institute for Deaf and Blind a minimum of thirty minutes of time each day free of instructional or supervisory responsibilities and to provide funds for the employment of teacher aides.

Was taken up.

AMENDMENT OFFERED

Rep. Turnham offered the following amendment to the bill, S. 299:

Amend Senate Bill No. 299 Page 2 Line 5, by inserting after the word aids,

and/or certified personnel

Also on line 9 insert after the word aides

and/or certified personnel.

AMENDMENT TABLED

On motion of Rep. Grayson, the amendment offered by Rep. Turnham to the bill, S. 299, was tabled.

Yeas 64; Nays 16.

*Yeas:*

Mr. Speaker, Bachus, Beers, Black, Blake, Boles, Bowling, Box, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Campbell, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Crow, Davis, Drake, Dutton, Escott, Ford, Goodwin, Gray, Grouby, Harvey, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Laird, Lauderdale, McDowell, McNair, Martin, Mathis, Melton, Mitchell, Moore, Nicholson, Parker, Perdue, Poole, Pratt, Rains, Reed, Richardson, Rogers, Sasser, Smith, Spratt, Starkey, Trammell, Turner, Venable, Warren, White (F), and White (G).

—64

*Nays:*

Reps.: Bryant, Cosby, Gaston, Kvalheim, Lindsey, McKee, McMillan, Mikell, Newman, Penry, Preuitt, Seibels, Starr, Turnham, White (L), and Zoghby.

—16

And the bill, S. 299, was read a third time at length and passed.

Yeas 93; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Blake, Blakeney, Boles, Bowling, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Rice, Richardson, Rogers, Seibels, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—93

## PERMISSION GRANTED

Permission was granted for the Journal to show that Reps. Box and Bachus would have voted "Yea" on the bill, S. 299, had they been in the Chamber at the time of voting.

Permission was granted for the Journal to show that Rep. Marietta would have voted "Yea" on the bill, S. 299, had she been present at the time of voting.

## RESOLUTIONS

The following resolutions were introduced and distributed according to Joint Rule 11:

By Rep. Bachus:

H. R. 388. COMMENDING MR. ROBERT G. CAHILL OF BIRMINGHAM, ALABAMA, FOR DISTINGUISHED SERVICE TO THE STATE OF ALABAMA.

Also:

By Reps. Perdue, Escott, Davis, Horn, McNair, Rogers and Spratt:

H. R. 389. MOURNING THE DEATH OF MR. IRVIN MONROE SMITH OF BIRMINGHAM, ALABAMA.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 214. CHANGING THE COMPOSITION OF THE SELECT JOINT NUCLEAR ENERGY ACTIVITIES AND HAZARDOUS CHEMICAL TOXIC WASTE OVERSIGHT COMMITTEE BY ADDING TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES TO BE APPOINTED BY THE SPEAKER AND THREE MEMBERS OF THE SENATE TO BE APPOINTED BY THE LIEUTENANT GOVERNOR.

McDOWELL LEE,  
Secretary.

## SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES  
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 309. To reopen the State of Alabama retirement systems for certain military service; to provide that as a prerequisite to obtaining such credit, said members must be active and contributing members of any of the

State of Alabama retirement systems; to provide for the payment by the members of such service; and to provide for its termination.

Also:

H. 483. To amend Section 40-23-4 of the Code of Alabama 1975, as heretofore amended, which provides for certain exemptions from sales taxes, so as to exempt from sales taxation the gross proceeds from sales of admissions to certain national championship sporting events that are held in the State of Alabama and hosted by not for profit corporations organized and existing under the laws of the State of Alabama.

Also:

H. 669. To empower any city or town in this State to acquire, improve and equip land, buildings and other facilities for use by the United States Postal Service; to provide for the financing of costs of such acquisition, improvement and equipment, either as the sole purpose of such financing or combined with any other lawful purpose or purposes; and to provide for the leasing of such land, buildings and facilities to the United States Postal Service.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 67. CREATING A JOINT INTERIM LEGISLATIVE CHILDREN AND YOUTH STUDY COMMITTEE.

Also: •

H. J. R. 81. CREATING THE ALABAMA HISTORICAL RECORDS ADVISORY BOARD LEGISLATIVE OVERSIGHT COMMITTEE.

Also:

H. J. R. 133. DIRECTING THAT THE STATE ATHLETIC ASSOCIATION SHALL PRESCRIBE GUIDELINES FOR PUBLIC HIGH SCHOOL ATHLETES AND ATHLETIC DIRECTORS FOR TRAINING DURING CERTAIN SEASONS.

Also:

H. J. R. 145. NAMING THE HEALTH AND ARTS BUILDING AT ALEXANDER CITY STATE JUNIOR COLLEGE, THE "W. BYRON CAUSEY HEALTH EDUCATION AND ARTS COMPLEX."

Also:

H. J. R. 164. EXTENDING THE LIFE AND REPORTING DATE OF THE LEGISLATIVE JOINT INTERIM COMMITTEE TO STUDY VOCATIONAL EDUCATION.

Also:

H. J. R. 184. CONGRATULATING THE HUMANA HOSPITAL.

Also:

H. J. R. 195. URGING THE UNITED STATES POSTAL SERVICE TO RESCIND ITS SUSPENSION OF OPERATIONS OF THE MOORESVILLE, ALABAMA, POST OFFICE.

Also:

H. J. R. 215. NAMING H. B. 13 OF THE REGULAR SESSION 1984 THE "JOHN ROGERS ACT."

Also:

H. J. R. 264. COMMENDING OUR GRACIOUS CAPITOL HOSTESS, MRS. MARIE WALKER.

Also:

H. J. R. 271. COMMENDING MRS. FAY BUNCH, STATE PRESIDENT OF THE VETERANS OF FOREIGN WARS LADIES AUXILIARY.

Also:

H. J. R. 273. RATIFYING THE OCTOBER 14, 1983, AGREEMENT OF MUTUAL ASSISTANCE BETWEEN THE CHINA EXTERNAL TRADE DEVELOPMENT COUNCIL OF THE REPUBLIC OF CHINA AND THE STATE OF ALABAMA OF THE UNITED STATES OF AMERICA.

Also:

H. J. R. 277. COMMENDING COACH RALPH C. CHAMPION AND NAMING THE NEW GYM AT CENTRAL JUNIOR HIGH SCHOOL, MADISON COUNTY, ALABAMA, "THE RALPH C. CHAMPION GYM".

Also:

H. J. R. 279. MOURNING THE DEATH OF STATE REPRESENTATIVE GEORGE H. GRIMSLEY OF HALEBURG, HENRY COUNTY, ALABAMA.

Also:

H. J. R. 290. MOURNING THE DEATH OF MRS. JESSIE RUTH WASHINGTON, RETIRED TEACHER AND COMMUNITY LEADER OF MELVIN, CHOCTAW COUNTY, ALABAMA.

Also:

H. J. R. 291. COMMENDING MRS. NELLIE WEIL OF MONTGOMERY, ALABAMA.



Also:

H. J. R. 292. COMMENDING LIZ NUSBAUM OF ROBERT E. LEE HIGH SCHOOL, MONTGOMERY, ALABAMA

Also:

H. J. R. 293. MOURNING THE DEATH OF MR. JAMES BOWEN CARROLL OF CROSSVILLE, ALABAMA.

Also:

H. J. R. 294. COMMENDING THE LEGISLATIVE CUSTODIAL STAFFS.

Also:

H. J. R. 296. COMMENDING MR. LEONARD A. HALL OF MONTGOMERY, ALABAMA, THE OAK STREET A.M.E. ZION CHURCH MAN OF THE YEAR.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 297. COMMENDING COACH RAY WILLIAMS OF BIRMINGHAM'S WEST END HIGH SCHOOL.

Also:

H. J. R. 299. DESIGNATING JUNE 3—9, 1984, AS SAFE BOATING WEEK IN ALABAMA.

Also:

H. J. R. 300. CONGRATULATING OUR COLLEAGUE, REPRESENTATIVE SONNY MOORE.

Also:

H. J. R. 301. COMMENDING THE REVEREND ISAAC LEON FORBES, PASTOR, MAGGIE STREET BAPTIST CHURCH, MONTGOMERY, ALABAMA.

Also:

H. J. R. 310. COMMENDING THE HEWITT-TRUSSVILLE JUNIOR HIGH SCHOOL WRESTLING TEAM AND COACH MARK LASSETER.

Also:

H. J. R. 312. COMMENDING MR. JOHN W. HUNT WITH THE ALABAMA DEPARTMENT OF PENSION AND SECURITY'S BUREAU OF FOOD ASSISTANCE.

Also:

H. J. R. 313. COMMENDING SCOTT F. GRANGER OF COOSADA, ALABAMA, FOR OUTSTANDING ACHIEVEMENT.

Also:

H. J. R. 316. NAMING ALABAMA HIGHWAY 95, FROM ABBEVILLE TO GORDON, ALABAMA, THE "GEORGE H. GRIMSLEY HIGHWAY."

Also:

H. J. R. 320. COMMENDING THE CITY OF SYLACAUGA ON ITS FOUNDING 150 YEARS AGO.

Also:

H. J. R. 321. RESPECTFULLY REQUESTING PRESIDENT RONALD REAGAN TO APPOINT AN ALABAMIAN TO FILL THE VACANCY CURRENTLY EXISTING ON THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY.

Also:

H. J. R. 323. MOURNING THE DEATH OF MR. JOSEPH WILDER, CARPENTER, FARMER AND COMMUNITY LEADER OF MANTUA, GREENE COUNTY, ALABAMA.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 231. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1985.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Rep. Coburn, the House concurred in and adopted the

Senate amendment to the bill, H. 231, said Senate amendment being as follows:

Amend the Substitute to House Bill 231 on page 12A line 17 by striking the figure "4,887,933" and by inserting in lieu thereof the figure "4,687,933".

Further amend the Substitute to House Bill 231 on page 12A line 20 by striking the figure "\$21.50" and by inserting the figure "\$20.50".

Further amend the Substitute to House Bill 231 on page 13 line 5 by striking the figure "974,409" and by inserting the figure "1,174,409".

Further amend the Substitute to House Bill 231 on page 13 line 9 by striking the figure "\$17" and inserting the figure "\$20.50".

Further amend the Substitute to House Bill 231 on page 13 after line 11 by inserting the following:

"It is the intent of the Legislature that the rate of local supplements paid by each school system for teachers' personal leave for the 1983-84 fiscal year be continued at that rate through the 1984-85 fiscal year. The above appropriation shall be in addition to any local supplements paid for teachers' personal leave within a system."

Further amend the substitute to House Bill 231 in Section 4 (II) (A) on page 41 line 12 by deleting the figure "871,109" and inserting in lieu thereof the figure "371,109".

Further amend the substitute to House Bill 231 in Section 4 (II) (A) on page 41 on line 9 by deleting the figures "9,996,040" and "15,532,040" and inserting in lieu thereof the figures "10,496,040" and "16,032,040" respectively.

Further amend the substitute to House Bill 231 in Section 6 on page 51 line 13 by deleting the words "Elementary/Secondary".

Further amend the substitute to House Bill 231 on page 44, Subsection VI. A, line 16 by striking the figures "13,157,940" and "19,036,940" and by substituting in lieu thereof the following figures "13,057,940" and "18,936,940", respectively;

Further amend the substitute to House Bill 231 on page 44, after line 23 by inserting the following line item:

"8. Public Service and Research . . . . .	100,000	100,000"
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Further amend the substitute to House Bill 231 by renumbering the remaining line items in Subsection VI. A accordingly.

Further amend the Substitute to House Bill 231 in Section 6 (B) on page 56 by deleting lines 25 through 32 in their entirety and inserting in lieu thereof the following:

"10. Board of Trustees of Troy State  
University

(a) Troy State University . . . . .	349,708
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(for Capital Outlay or program  
development)

## SOURCE OF FUNDS:

(1) ASETF .....	349,708	
<hr/>		
Total Troy State University ..	349,708	349,708
<hr/>		
(b) Troy State University Ft. Rucker/Dothan .....		150,000
(for Capital Outlay or pro- gram development)		
SOURCE OF FUNDS:		
(1) ASETF .....	150,000	
<hr/>		
Total Troy State University		
Ft. Rucker/Dothan .....	\$150,000	\$150,000"
<hr/>		

Further amend the substitute to House Bill 231 in Section 6 (A) (1) on page 51 after line 24 by inserting the following:

"(e) Vocational Education equip-  
ment for secondary schools .. 1,000,000"

Further amend the substitute to House Bill 231 in Section 6 (A) (1) on page 51 on lines 14, 26 and 27 by deleting the figure "\$27,000,000" and inserting in lieu thereof the figure "28,000,000".

Further amend the substitute to House Bill 231 in Section 6 (B) (1) on page 53 on lines 16, 21, and 22 by deleting the figure "2,500,000" and inserting in lieu thereof the figure "1,500,000."

Further amend the substitute to House Bill 231 on page 59, by deleting the figure "625,000" as it appears on lines 13, 15 and 17, and by inserting in lieu thereof the figure "1,125,000".

Further amend the Substitute to House Bill 231, on pages 38 and 39, Subsection B, by striking in its entirety Subsection B, beginning on line 5 of said Page 38 and inserting in lieu thereof the following new Subsection B.

"B. University of Alabama in  
Birmingham

1. University College .....	19,351,456	19,041,300	38,392,756
2. Family Practice Residency Programs .....	1,678,050		1,678,050

The above appropriations shall be  
expended for residency programs as  
follows:

Anniston .....	263,674
East End .....	263,674
Jefferson County .....	263,674
Montgomery .....	266,830
Selma .....	356,524

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Gadsden .....	263,674		
3. School of Medicine .....	21,891,097	13,899,000	35,790,097
4. University Hospitals .....	6,245,910	163,872,323	170,118,233
5. School of Optometry .....	3,245,294	1,470,700	4,715,994
6. School of Community and Allied Health .....	2,814,570	1,201,100	4,015,670
7. Regional Technical Institute .....	2,488,860	286,600	2,775,460
8. Joint Health Sciences .....	3,972,464	900,500	4,872,964
9. Department of Pediatrics and Children's Hospital .....	1,134,776		1,134,776
10. Center for Labor Education and Research .....	333,630		333,630
11. Student Nurses Loans .....	12,000		\$12,000
12. Center for Diabetes Research .....	207,900		207,900
13. Urban Research and Public Service .....	532,620		532,620
14. School of Dentistry .....	8,335,800	4,220,100	12,555,900
15. Nursing Scholarships .....	88,000		88,000
16. System Medical Education Program .....	527,670		527,670
17. School of Nursing .....	4,916,340	1,207,000	6,123,340
18. Health-Related Research and Public Service .....	3,047,220		3,047,220
19. Public Health Research Program .....	150,480		150,480
20. Emergency Medical Service and Training .....	173,250		173,250
21. Medical Genetics Program .....	483,526		483,526
22. Hypertension Research .....	418,770		418,770
23. Multipurpose Arthritis Center .....	418,770		418,770
24. School of Engineering and Business .....	460,350		460,350
25. School of Public Health .....	2,706,660	342,000	3,048,660
26. Montgomery Internal Medicine Residency .....	299,057		299,057
27. Center for Industrial and Applied Research (Research Development and Relations) .....	394,000		394,000
28. Center for Cystic Fibrosis Research .....	89,100		89,100
29. Center for Congenital Heart Disease .....	89,100		89,100
30. Center for Nuclear Magnetic Resonance Studies .....	500,000		500,000
31. Dental/Medical Research .....	150,000		150,000
32. Virology Laboratory .....	41,000		41,000

33. Special Mental Health .....	3,510,755	3,510,755
(Of this amount, \$205,094 shall be expended for Psychiatric Research)		
34. Chauncy Sparks Center for Developmental and Learning Disorders .....	708,779	708,779
35. Biomedical Sciences .....	78,210	78,210
36. Auxiliary Enterprises .....	8,004,900	8,004,900
37. Restricted Funds .....	50,508,000	50,508,000

## SOURCE OF FUNDS:

(1) ASETF .....	87,275,930	
(2) Special Mental Health Trust Fund .....	4,219,534	
(3) Other Fund .....	264,953,523	

Total University of Alabama in Birmingham .....	87,275,930	269,173,057	356,448,987"
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Further amend the Substitute to House Bill 231, on page 51, line 20 by deleting "(K-12)" and inserting in lieu thereof "(K-14)".

Further amend the Substitute to House Bill 231 by adding in Section 6 C on Page 59, line 35, the following:

"6. SHAKESPEARE FESTIVAL THEATRE, ALABAMA .....	750,000
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## SOURCE OF FUNDS:

(1) ASETF .....	750,000	
Total Alabama Shakespeare Festival Theatre .....	750,000	750,000

The above appropriations of \$750,000 to the Alabama Shakespeare Festival Theatre is to be conditioned upon the availability of funds in the Alabama Special Educational Trust Fund and upon approval of the Governor.

Amend the Finance and Taxation Committee Substitute for H.B. 231 in Section 6(A) on page 51, after line 20 by inserting the following:

"This appropriation shall be for the purpose of maintaining State Board of Education requirements for accreditation with a minimum of \$3.00 per student to be expended for books. Other expenditures may include book binding, book repair, computer software, cataloging, filmstrips, newspapers, magazines, pictures, recordings and video tapes."

A BILL  
TO BE ENTITLED  
AN ACT

To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1985.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated for the support of public education in Alabama for the fiscal year ending September 30, 1985, and for the public debt, to be paid out of funds specified in subsection (a) of Section 2 of this Act, the amounts specified in Sections 3 to 6, inclusive. For the purpose specified in subsection (b) of Section 2 of this Act, amounts are shown by programmatic area and the total for all programs is shown so as to include estimated sources of funds other than the appropriation made in subsection (a) of Section 2 of this Act. For the purpose of this Act, "ASETF" shall mean Alabama Special Educational Trust Fund.

Section 2. (a) The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and Alabama Special Educational Trust Fund Surplus, Special Mental Health Trust Fund, Alabama Board of Nursing Trust Fund, Alabama Peace Officers' Standards and Training Fund, and Public School Fund and are hereby made for the support of public education in Alabama for the fiscal year ending September 30, 1985, and except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Code of Alabama 1975, Sections 41-4-80 through 41-4-96, inclusive, as amended), the provisions of the Budget Management Act of 1976 (Code of Alabama 1975, Sections 41-19-1 through 41-19-12, inclusive, as amended), and shall be in the amounts hereinafter specified.

(b) Amounts shown herein under the columns "Trust Funds" and "Appropriation Total" are set forth for the purpose of indicating amounts estimated to be available by programmatic area from sources other than from appropriations made in subsection (a) of this Section 2, in order, upon consideration of such other funds so estimated to be available, to promote the accountability for an efficient use of funds available to and hereby appropriated by the Legislature, it being the intention hereof to make appropriations only from the funds referred to in subsection (a) of this Section 2. Provided, however, that regardless of the ending date of any pay period which has been or may be established by the Legislature for the payment of salaries of state employees, the entire payment due shall be made from the fiscal year's appropriation in which the pay date falls.

Section 3:

A. STATE AGENCIES

1. ACADEMY OF HONOR,  
ALABAMA:

(a) Historical Resources Management Program .....	1,010
SOURCE OF FUNDS:	
(1) ASETF—Transfer .....	1,010

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Total Alabama Academy of Honor .....	1,010	1,010
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2. ARTS AND HUMANITIES,  
COUNCIL ON THE:

(a) Fine Arts Program ..... 1,370,000

Of the above appropriation,  
\$10,000 is hereby appropriated  
to Alabama Outdoor Drama.  
The appropriation to the  
Council on the Arts and Hu-  
manities shall include a trans-  
fer to the State Personnel De-  
partment of \$619.

SOURCE OF FUNDS:

(1) ASETF—Transfer .....	900,000	
(2) Federal and Local Funds .....		470,000

Total Council on the Arts and Humanities .....	900,000	470,000	1,370,000
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3. BUILDING COMMISSION,  
STATE:

(a) Special Services Program ..... 400,000

SOURCE OF FUNDS:

(1) ASETF—Transfer .....	400,000
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Total State Building Commission .....	400,000	400,000
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4. DEBT SERVICE ..... 649,708

(a) Interest on Endowments:

For interest on University of Montevallo (Alabama College) Endowment, Estimated .....	34,964
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For interest on Auburn University Endowment .....	20,280
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For interest on University of Alabama Endowment ..	61,000
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For interest on



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Grove Hill Endowment .....	600
For interest on Public School Fund Endowment: Interest on 16th Section Lands, Estimated .	410,000
Interest on School Indemnity Lands, Estimated .....	90,000
Interest on Valueless 16th Section Lands .....	5,825
Interest on Surplus Revenue .....	26,764
Interest on James Wallace Fund .....	<u>275</u>
Total Interest on Public School Fund Endowment .....	532,864

**SOURCE OF FUNDS:**

(1) ASETF .....	649,708	
<hr/>		
Total Debt Service .....	649,708	649,708
<hr/>		

**5. DENTAL SCHOLARSHIP  
AWARDS, BOARD OF:**

(a) Support of Other Educational Activities Program .....	179,000
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**SOURCE OF FUNDS:**

(1) ASETF .....	179,000
<hr/>	

Total Board of Dental Scholarship Awards .....	179,000	179,000
<hr/>		

(To be expended under the provisions of Code of Alabama 1975, Sections 16-47-76 through 16-47-81, inclusive, as amended.)

**6. EDUCATION, DEPARTMENT  
OF:**

(a) Administrative Services Program .....	11,169,248
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The proposed spending plan  
for the above is as follows:

Compact for Edu- cation .....	35,100
Operations and Maintenance of Department .....	2,508,462
Telephone Net- work Fund, Estimated .....	1,700,000
Leadership and Management .....	270,000

**SOURCE OF FUNDS:**

(1) ASETF .....	4,513,562		
(2) Federal and Local Funds .....		6,655,686	
<b>Total Administrative Services Program .....</b>	<b>4,513,562</b>	<b>6,655,686</b>	<b>11,169,248</b>

The above appropriation shall  
include a transfer to the State  
Personnel Department of  
\$91,080.

(b) Adult Education Program .... 4,184,166

The proposed spending plan  
for the above is as follows:

Adult Basic Educa- tion .....	1,986,000
Community Educa- tion .....	224,000

**SOURCE OF FUNDS:**

(1) ASETF .....	2,210,000		
(2) Federal and Local Funds .....		1,974,166	
<b>Total Adult Education Program .....</b>	<b>2,210,000</b>	<b>1,974,166</b>	<b>4,184,166</b>

(c) Direct Client Services for the  
Handicapped ..... 45,730,100

To be distributed by the De-  
partment of Education as fol-  
lows:

Crippled Children Services Program ..	5,685,000
Handicapped Rec- reation Program ..	200,000

(To provide recreation and services at a year-round accredited handicapped recreation facility.)

Hemophilia Program .....	300,000
Homebound Program .....	3,000,000
Rehabilitation Services Program ....	7,157,000

(Of the above appropriation to Rehabilitation Services Program, \$250,000 shall be used for the Deaf Support Service Program.)

SOURCE OF FUNDS:

(1) ASETF .....	16,342,000		
(2) Federal and Local Funds .....		29,388,100	
		<hr/>	
Total Direct Client Services for the Handicapped .....	16,342,000	29,388,100	45,730,100
		<hr/>	

(d) Emergency Medical Services Education Program .....	1,500,000
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To be distributed by the Department of Education as follows:

- (1) Birmingham Regional Emergency Medical System .....
- (2) East Alabama Emergency Medical Services, Inc. ....
- (3) North Alabama Emergency Medical Services, Inc. ....
- (4) Southeast Alabama Emergency Medical Services System, Inc. ....
- (5) Southwest Alabama Emer-

gency Medical Services  
Council, Inc. . . . 250,000

- (6) West Alabama Emer  
gency Medical Services,  
Inc. . . . . 250,000

The amounts herein appropri-  
ated shall be used for the oper-  
ation and maintenance of the  
various medical services pro-  
grams named and for the  
purchase of instructional sup-  
plies and new instructional  
equipment for such programs.

SOURCE OF FUNDS:

- (1) ASETF . . . . . 1,500,000

Total Emergency Medical Services Education Program . .	1,500,000	1,500,000
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- (e) Financial Assistance Program . . . . . 187,297,729

The proposed spending plan  
for the above is as follows:

Basic Skills Pro-  
gram . . . . . 165,464  
Elementary Teach-  
ers Scholarships . . . . 25,000

(To be paid in ac-  
cordance with Code  
of Alabama 1975,  
Section 16-23-17,  
as amended.)

SOURCE OF FUNDS:

- |                               |             |  |
|-------------------------------|-------------|--|
| (1) ASETF . . . . .           | 190,464     |  |
| (2) Federal and Local Funds . | 187,107,265 |  |

Total Financial Assistance Program . . . . .	190,464	187,107,265	187,297,729
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- (f) Instructional Technical Assis-  
tance Program . . . . . 8,521,208

The proposed spending plan  
for the above is as follows:

Career Education . . . . 175,000  
Early Childhood/  
Kindergarten Ad-  
ministration . . . . . 110,000

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Instructional Technical Assistance . . .	673,441
Special Education Administration . . .	450,000
Vocational Education Administration . . . . .	686,000

**SOURCE OF FUNDS:**

(1) ASETF . . . . .	2,094,441		
(2) Federal and Local Funds .		6,426,767	
		<hr/>	
Total Instructional Technical Assistance Program . . . . .	2,094,441	6,426,767	8,521,208
		<hr/>	

(g) Local Agency Support Program 11,350,012

The proposed spending plan for the above is as follows:

Driver Education, School Bus Driver Training and Vehicle Safety Inspection . . . . .	280,000
Free Textbooks . . .	8,676,470
Guidance and Counseling . . . . .	50,000
School Facilities and Architectural Services . . . . .	110,000
Testing . . . . .	500,000

(1) ASETF . . . . .	9,616,470		
(2) Federal and Local Funds .		1,733,542	
		<hr/>	
Total Local Agency Support Program . . . . .	9,616,470	1,733,542	11,350,012
		<hr/>	

(h) Regulation Program . . . . . 1,323,067

The proposed spending plan for the above is as follows:

School Attendance . . .	31,260
Teacher Certification and Accreditation . . . . .	333,105
Undergraduate/Graduate Program Approval . . . . .	240,000

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## SOURCE OF FUNDS:

(1) ASETF .....	604,365		
(2) Federal and Local Funds .....		718,702	
<hr/>			
Total Regulation Program ....	604,365	718,702	1,323,067

- (i) Support of Other Educational Activities Program ..... 9,300

The proposed spending plan  
for the above is as follows:

Education of De-  
pendents of Blind  
Parents ..... 9,300

## SOURCE OF FUNDS:

(1) ASETF .....	9,300		
<hr/>			
Total Support of Other Educational Activities Program .....	9,300		9,300

For reimbursement of every  
State Institution of Higher  
Learning, College, University,  
or Technical College or Junior  
College in which benefits are  
given to dependents of blind  
parents under the provisions of  
Code of Alabama 1975, Sec-  
tions 16-33-1 through 16-33-12,  
inclusive, as amended.

- (j) Support of State Universities Program ..... 50,000

## SOURCE OF FUNDS:

(1) Federal and Local Funds .....	50,000		
<hr/>			
Total Support of State Universities Program .....		50,000	50,000

- (k) Projects-Vocation Rehabilitation/Crippled Children Services Program ..... 761,848

Of the above appropriation,  
\$20,000 is hereby appropriated  
for the Eye Injury Register.

## SOURCE OF FUNDS:

(1) ASETF .....	20,000		
(2) Federal and Local Funds .....		741,848	
<hr/>			

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Total Projects-Vocation Rehabilitation/Crippled Children Services Program . . . .	20,000	741,848	761,848

(l) Disability Determination for Social Security Program . . . . .			19,072,394
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**SOURCE OF FUNDS:**

(1) Federal and Local Funds . . . . .	19,072,394		

Total Disability Determination for Social Security Program . . . .	19,072,394	19,072,394	

**TOTAL DEPARTMENT OF  
EDUCATION:**

**SOURCE OF FUNDS:**

(1) ASETF . . . . .	37,100,602		
(2) Federal and Local Funds . . . . .	253,868,470		

GRAND TOTAL DEPARTMENT OF EDUCATION . . . . .	37,100,602	253,868,470	290,969,072

**7. EDUCATION, STATE BOARD  
OF—MINIMUM PROGRAM AND  
PUBLIC SCHOOL FUND:**

(a) Financial Assistance Program . . . . .			590,394,842
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**SOURCE OF FUNDS:**

(1) ASETF . . . . .	548,018,357		
(2) Public School Fund . . . . .	37,700,000		
(3) Local Funds . . . . .	4,676,485		

Total Minimum Program, Public School Fund and Local Funds . . . . .	548,018,357	42,376,485	590,394,842

The above appropriation shall be paid in accordance with Code of Alabama 1975, Sections 16-13-50 through 16-13-59, inclusive, as amended, and all other legislation pertaining thereto.

The appropriation hereinabove set out for the fiscal year 1984-85 is based on 22,778 teacher units. It is provided in the event that there are more than 22,778 earned teacher units for the fiscal year 1984-85, then such amounts necessary to pay for these excess teacher units are hereby appropriated. It is further provided that in the event that there be less earned

teacher units than those set out above, then the amount that would have been necessary to pay for those earned teacher units shall not be allotted or paid.

In allocating the funds in subsection (a) the State Board of Education shall allot as follows:

For "Board of Adjustment" awards in accordance with the Minimum Program statutes and regulations an amount not to exceed \$150,000.

For "Salaries" the amount shall not exceed a total of \$451,213,980. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

<u>Rank</u>	<u>Salary Allotment</u>	<u>Number of Teacher Units</u>	<u>Total</u>
AA	\$21,726	2,987	\$ 64,895,562
I	20,342	13,607	276,793,594
II	17,711	6,184	109,524,824
III	14,912	0	0
IV	12,950	0	0
		22,778	\$451,213,980

For "Principal Supplement" an amount not to exceed the total of \$2,277,800.

For "Other Current Expense" an amount not to exceed \$3,497.72 for each earned teacher unit but the total shall not exceed the sum of \$79,671,066. The "Other Current Expense" amount shall be understood to include the \$1,000 per lunchroom worker previously allocated for lunchroom worker salaries. It is also the intent of the Legislature that all lunchrooms be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$1,477,609.

The above appropriation contained in subsection (a) shall include an allotment for transportation in accordance with the formula adopted by the State Board of Education for the distribution of the funds to be used for transportation purposes but shall not exceed the sum of \$55,604,387.

#### 8. EDUCATION, STATE BOARD OF—LOCAL BOARDS:

(a) Financial Assistance Program . 316,157,532

#### SOURCE OF FUNDS:

(1) ASETF . . . . . 316,157,532

Total State Board of

Education—Local Boards . . . . 316,157,532 316,157,532

To be distributed by the State  
Board of Education for:

(a) Teachers' Sick  
Leave . . . . . 4,887,933



Of the appropriation hereinabove made for Teachers' Sick Leave, the rate of not more than \$21.50 per day is hereby appropriated. It is the intent of the Legislature that the rate of local supplements paid by each school system for teachers' sick leave for the 1983-84 fiscal year be continued at that rate through the 1984-85 fiscal year. The above appropriation shall be in addition to any local supplements paid for teachers' sick leave within a system.

- (b) Support Personnel Sick Leave ..... 1,912,862

Of the appropriation hereinabove made for support personnel sick leave in accordance with Code of Alabama 1975, Section 16-1-18, as amended, the rate of not more than \$17 per day is hereby appropriated.

- (c) Teachers' Personal Leave ..... 974,409

The appropriation hereinabove made for Teachers' Personal Leave provides for two (2) days personal leave at \$17 per teacher unit for each teacher employed (except ECIA Chapter 1 and 2 teachers).

- (d) Funds to Replace Fees ..... 10,597,125

Of the appropriation hereinabove made for Funds to Replace Fees, there is hereby appropriated two hundred seventy-five dollars (\$275) per teacher unit for grades K-12 for all teachers employed (except

ECIA Chapter 1 and 2 teachers).

- (e) Maintenance . . . 5,968,104
- (f) Continuation of funds previously granted for Special Education . . . . 24,525,489
- (g) Special Schools for Special Education . . . . . 2,283,000

To be distributed by the State Board of Education as follows: \$350,000 shall be allocated to the Tuscaloosa Regional Handicapped School; \$450,000 shall be allocated to the Southwest Alabama School for Deaf and Blind; \$250,000 shall be allocated to the Vivian B. Adams School; \$25,000 shall be allocated to the Butler County Training School for the Mentally Retarded in Greenville, Alabama; \$25,000 shall be allocated to the Hope Haven School in Colbert County; \$25,000 shall be allocated to the Jasper Shriner School; \$25,000 shall be allocated to the Montgomery Institute of Neurological Development in Montgomery, Alabama; \$35,000 shall be allocated to the Birmingham Training Center for Brain-Injured Children in Birmingham, Alabama; \$25,000 shall be allocated to Project Independence in Coffee County, Alabama; \$50,000 shall be allocated to the Houston County Board of Education for the Vaughn-Blumberg Center for the Developmentally Disabled; \$43,000 to Auburn University Preschool for Multi-

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handicapped Children; \$75,000 to the Alice Pigman School; \$75,000 to the Montgomery County Board of Education for the purpose of establishing a pilot program for deaf students in public schools; \$300,000 shall be allocated to the McInnis School in Montgomery, Alabama; \$50,000 shall be allocated to the Special Education School in Vinemont in Cullman County; \$30,000 shall be allocated to the Geneva County Day Care and Training Center; \$150,000 shall be allocated to the Dothan City Board of Education for a pilot program for gifted children; \$30,000 shall be allocated to the Houston County Board of Education for a pilot program for gifted children; \$75,000 shall be allocated to the Cleveland School for the Handicapped; \$35,000 shall be allocated to the North Talladega County Association for Retarded Citizens, Inc.; \$15,000 shall be allocated to the ECHO FOUNDATION; \$145,000 to the Alabama Institute for Deaf and Blind to implement the purposes of Code of Alabama 1975, Sections 16-39-3, as amended, and P.L. 94-142.

- (h) Kindergarten teacher units ..... 53,060,500

The above appropriation is for 2,300 teacher units and includes salaries, other current expense, and

capital improvements at  
the following rates:

For "Salaries" the sum shall not exceed a total of \$44,866,543. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

<u>Rank</u>	<u>Salary Allotment</u>	<u>Number of Teacher Units</u>	<u>Total</u>
AA	21,726	162	\$ 3,519,612
I	20,342	1,323	26,912,466
II	17,711	<u>815</u>	<u>14,434,465</u>
		2,300	\$44,866,543

For "Other Current Expense" an amount not to exceed \$3,497.72 for each earned teacher unit but the total shall not exceed the sum of \$8,044,756. The "Other Current Expense" amount shall be understood to include the \$1,000 per lunchroom worker previously allocated for lunchroom worker salaries. It is also the intent of the Legislature that all lunchrooms be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$149,201.

Of the above appropriation for Kindergarten Teacher Units, nine (9) units shall be allocated to the Alabama Institute for Deaf and Blind for the Preschool Deaf and Blind Program. It is the intent of the Legislature to fully fund a state-wide Kindergarten program at the ratio of 22 students in average daily attendance for the first four months to 1 teacher unit. In the event less than 2,300 teacher units are earned for the fiscal year 1984-85, then such amount shall not be allotted or paid. In the event more than 2,300 teacher units are earned for the fiscal year 1984-85, then such amounts necessary to pay for these excess teacher units are hereby appropriated.

- (i) Continuation of Teacher  
Units to reduce pupil-  
teacher ratio in  
grades 1-6 . . . . 15,155,597

The above appropriation  
is for 650 teacher units  
and includes salaries,  
other current expense, and  
capital improvements at  
the following rates:

For "Salaries" the sum shall not exceed \$12,839,913. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

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<u>Rank</u>	<u>Salary Allotment</u>	<u>Number of Teacher Units</u>	<u>Total</u>
AA	\$ 21,726	83	\$ 1,803,258
I	20,342	378	7,689,276
II	17,711	<u>189</u>	<u>3,347,379</u>
		650	\$ 12,839,913

For "Other Current Expense" an amount not to exceed \$3,497.72 for each earned teacher unit but the total shall not exceed the sum of \$2,273,518. The "Other Current Expense" amount shall be understood to include the \$1,000 per lunchroom worker previously allocated for lunchroom worker salaries. It is also the intent of the Legislature that all lunchrooms be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$42,166.

(j) Supportive Teacher  
Units..... 40,034,779

The above appropriation provides for one extra unit or fraction thereof for each aggregate of fifteen (15) units or fraction thereof earned on regular units in the Minimum Program, Kindergarten Teacher Units in (h), and Continuation Teacher Units in (i). The above appropriation is for 1,715 teacher units and includes salaries, other current expense, and capital improvements at the following rates:

For "Salaries" the sum shall not exceed \$33,924,937. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

<u>Rank</u>	<u>Salary Allotment</u>	<u>Number of Teacher Units</u>	<u>Total</u>
AA	\$21,726		\$ 5,018,706
I	20,342	997	20,280,974
II	17,711	<u>487</u>	<u>8,625,257</u>
		1,715	\$33,924,937

For "Other Current Expense" an amount not to exceed \$3,497.72 for each earned teacher unit but the total not exceed the sum of \$5,998,590. The "Other Current Expense" amount shall be understood to include the \$1,000 per lunchroom worker previously allocated for lunchroom worker salaries. It is also the intent of the Legislature that all lunchrooms be fully

funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$111,252.

- (k) Special Education Teacher  
Units..... 77,390,441

The above appropriation  
is for 3,250 teacher units  
and includes salaries,  
other current expense,  
capital improvements and  
transportation at the fol-  
lowing rates:

For "Salaries" the sum shall not exceed \$64,964,023. The State Board of Education shall have the discretion to redistribute the number of teacher units allotted in each rank provided, however, the total amount allotted for salaries shall remain the same.

<u>Rank</u>	<u>Salary Allotment</u>	<u>Number of Teacher Units</u>	<u>Total</u>
AA	\$21,726	302	\$ 6,561,252
I	20,342	2,353	47,864,726
II	17,711	595	10,538,045
		3,250	\$64,964,023

For "Other Current Expense" an amount not to exceed \$3,497.72 for each earned teacher unit but the total shall not exceed the sum of \$11,367,590. The "Other Current Expense" amount shall be understood to include the \$1,000 per lunchroom worker previously allocated for lunchroom worker salaries. It is also the intent of the Legislature that all lunchrooms be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$210,828.

For "Transportation" the total shall not exceed \$848,000.

- (1) Driver Education Teacher  
Units..... 6,830,530

The above appropriation  
is for 290 driver education  
teacher units or other  
teacher units as approved  
by the local Board of Edu-  
cation and includes sala-  
ries, other current ex-  
pense, and capital  
improvements at the fol-  
lowing rates:

For "Salaries" the sum shall not exceed \$5,797,379. The State Board of Education shall have the discretion to redistribute the number of teacher

units allotted in each rank provided however, the total amount allotted for salaries shall remain the same.

Rank	Salary Allotment	Number of Teacher Units	Total
AA	21,726	31	\$ 673,506
I	20,342	204	4,149,768
II	17,711	55	974,105
		290	\$5,797,379

For "Other Current Expense" an amount not to exceed \$3,497.72 for each earned teacher unit but the total shall not exceed the sum of \$1,014,339. The "Other Current Expense" amount shall be understood to include the \$1,000 per lunchroom worker previously allocated for lunchroom worker salaries. It is also the intent of the Legislature that all lunchrooms be fully funded by local school boards from these and any other local and/or state funds available and not just from funds generated by lunchroom sales.

For "Capital Improvements" an amount not to exceed \$64.87 for each earned teacher unit but the total shall not exceed the sum of \$18,812.

(m) Vocational Education ..... 71,226,706

The appropriation hereinabove for Vocational Education shall be disbursed or obligated in accordance with rules and regulations approved by the State Board of Education upon the recommendation of the State Superintendent. Of the \$71,226,706, the sum of \$1,344,187 shall be allocated for handicapped students in Vocational Education.

(n) Youth Services Department District .. 1,310,057

The above appropriation shall be expended by the Youth Services Department District in a manner consistent with the funding formula cooperatively established by the Youth Services Board and the State Board of Education pursuant to the provisions of Code of Alabama 1975, Sections 44-1-70 through 44-1-77, inclusive, as amended.

9. EDUCATION, STATE BOARD  
OF—JUNIOR COLLEGE  
SYSTEM:

(a) Postsecondary Two-Year Institutions Program ..... 94,564,848

SOURCE OF FUNDS:

(1) ASETF .....	52,741,993
(2) Federal and Local Funds .....	82,533
(3) State Funds .....	12,008
(4) Other Funds .....	21,274,955
(5) Auxiliary Enterprises .....	6,587,703
(6) Restricted Funds .....	13,865,656

Total Junior College System ..	52,741,993	41,822,855	94,564,848
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This appropriation to the Ala-

bama State Board of Education for the Junior College System is to be used for operations and maintenance of the Junior Colleges listed herein and is to be distributed on the following formula:

(A) Junior Colleges with credit producing programs in Alabama Correctional Institutions shall be reimbursed for tuition that is waived but the total amount reimbursed shall not exceed the sum of \$144,644.

(B) The sum of \$194,893 for high technology equipment is to be allotted on a needs basis as determined by the Chancellor of the Postsecondary Education System.

(C) The sum of \$200,000 to each Junior College.

(D) The remainder of the appropriation is to be allotted to each Junior College in accordance with its percentage of the total credit hours attempted for the four quarters of the school year 1983-84 by all the Junior Colleges listed in this appropriation, provided, however, the nursing and allied health credit hours will be funded on a cost basis based upon the 1983-84 academic year in accordance with the number of quarter hours attempted within the departments. However, only major allied health courses will be funded; related courses will be funded the same as non-health programs. Continuing education unit hours shall be excluded from the computations herein required. The above appropriation is to be distributed to the following Junior Colleges:

(1) Alexander City State Junior College; (2) S.D. Bishop State Junior College; (3) Brewer State Junior College; (4) John C. Calhoun State Community College; (5) Chattahoochee Valley Community College (Phenix City); (6) Jefferson Davis State Junior College; (7) Enterprise State Junior College; (8) James H. Faulkner State Junior College; (9) Gadsden State Junior College; (10) Patrick Henry State Junior College; (11) Jefferson State Junior College; (12) Theodore A. Lawson State Community College; (13) Northeast Alabama State Junior College; (14) Northwest Alabama State Junior College; (15) Snead State Junior College; (16) Southern Union State Junior College; (17) George C. Wallace State Community College (Selma); (18) George C. Wallace State Community College (Dothan); (19) Lurleen B. Wallace State Junior College; (20) George C. Wallace Community College at Hanceville; (21) Shelton State Community College.

#### 10. EDUCATION, STATE BOARD OF—TECHNICAL COLLEGE SYSTEM:

(a) Postsecondary Two-Year Institutions Program .....	68,082,790
SOURCE OF FUNDS:	
(1) ASETF .....	43,759,778
(2) Federal and Local Funds .....	1,100,595
(3) State Funds .....	16,500
(4) Other Funds .....	14,224,037
(5) Auxiliary Enterprises .....	5,256,395



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(6) Restricted Funds .....	3,725,485		
<hr/>			
Total Technical College System .....	43,759,778	24,323,012	68,082,790
<hr/>			

This appropriation to the Alabama State Board of Education for the Technical College System is to be used for operations and maintenance of the Technical Colleges listed herein and is to be distributed as follows:

(A) Technical Colleges with programs generating contact hours at Alabama Correctional Institutions shall be reimbursed for tuition that is waived but the total amount reimbursed shall not exceed the sum of \$417,463.

(B) The sum of \$194,892 for high technology equipment is to be allotted on a needs basis as determined by the Chancellor of the Postsecondary Education System.

(C) The remainder of the appropriation is to be allotted to each Technical College in accordance with a formula adopted by the State Board of Education. The formula for a given program may not differ between Colleges. The application of the formula shall be standard for all Colleges. The following Colleges shall receive the distribution as provided hereinabove:

(1) Atmore State Technical Institute; (2) Alabama Aviation and Technical College; (3) Alabama Technical College; (4) Harry M. Ayers State Technical College; (5) Bessemer State Technical College; (6) John C. Calhoun State Community College-Technical Division; (7) Carver State Technical College; (8) J. F. Drake State Technical College; (9) Gadsden State Technical Institute; (10) Richmond P. Hobson State Technical College; (11) J. F. Ingram State Technical Institute; (12) Theodore A. Lawson State Community College-Technical Division; (13) Douglas McArthur State Technical College; (14) Muscle Shoals State Technical College; (15) Northwest Alabama State Technical College; (16) N. F. Nunnelle State Technical College; (17) Opelika State Technical College; (18) John M. Patterson State Technical College; (19) Ed E. Reid State Technical College; (20) Shelton State Technical College; (21) Southwest State Technical College; (22) Chauncy Sparks State Technical College; (23) Council Trenholm State Technical College; (24) C. A. Fredd State Technical College; (25) Walker State Technical College; (26) George C. Wallace State Community College-Technical Division (Selma); (27) George C. Wallace State Community College-Technical Division (Dothan); (28) George C. Wallace State Community College-Technical Division (Hanceville).

**10A. ENVIRONMENTAL  
MANAGEMENT,  
DEPARTMENT OF:**

(a) Special Projects Program .....	300,000
<hr/>	
SOURCE OF FUNDS:	
(1) ASETF .....	300,000
<hr/>	

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Total Department of Environmental Management ..	300,000	300,000

**11. EXAMINERS OF PUBLIC  
ACCOUNTS:**

(a) Legislative Support-Audit Ser- vices Program .....		1,210,000
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For purposes of auditing all  
phases of public education.

**SOURCE OF FUNDS:**

(1) ASETF—Transfer .....	1,210,000	

Total Examiners of Public Accounts .....	1,210,000	1,210,000

**12. FINE ARTS, ALABAMA SCHOOL  
OF:**

(a) Fine Arts Program .....		1,098,971
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**SOURCE OF FUNDS:**

(1) ASETF .....	875,000	
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(2) Federal and Local Funds .....	223,971	

Total Alabama School of Fine Arts .....	875,000	223,971	1,098,971

**13. FIREFIGHTERS' PERSONNEL  
STANDARDS AND EDUCATION  
COMMISSION, ALABAMA:**

(a) Professional and Occupational Licensing and Regulation Pro- gram .....		143,300
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The appropriation to the Ala-  
bama Firefighters' Personnel  
Standards and Education Com-  
mission shall include a transfer  
to the State Personnel Depart-  
ment of \$182.

**SOURCE OF FUNDS:**

(1) ASETF—Transfer .....	143,300	

Total Alabama Firefighters' Personnel Standards and Edu- cation Commission .....	143,300	143,300

14. HEALTH, DEPARTMENT OF  
PUBLIC:

- (a) Health Support Services Program ..... 517,346

Of the above appropriation,  
\$215,373 is appropriated for  
Public School Food Sanitation.

- (b) Personal Health Improvement  
Program:

- (1) Perinatal Activities ..... 870,877

Provided, however, that  
the above appropriation  
shall be expended only for  
the continuation of a per-  
inatal program whose ex-  
penditure guidelines shall  
be developed in conjunc-  
tion with the Perinatal  
Advisory Committee of  
the State Committee on  
Public Health. Such  
guidelines shall be com-  
prehensive enough to  
serve as a statewide per-  
inatal plan in meeting fed-  
eral matching require-  
ments.

- (2) Immunization Activities . . . 220,000

For immunization of pre-  
school children and stu-  
dents.

SOURCE OF FUNDS:

- (1) ASETF—Transfer ..... 1,608,223

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Total Department of Public Health. ....	1,608,223	1,608,223
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15. HEALTH INSURANCE BOARD,  
PUBLIC EDUCATION  
EMPLOYEES':

- (a) Administrative Support Ser-  
vices Program ..... 34,000,000

The above appropriation shall  
be expended for Hospital/Med-  
ical or Dental Insurance Assis-  
tance for Professional Staff,

Support Staff, Adult School Bus Drivers for grades K-14 paid from State or local funds and retired employees eligible under the provisions of Senate Bill 314 of the 1984 Regular Session. Of the appropriation hereinabove made for Hospital/Medical or Dental Insurance, there is hereby appropriated the sum of four hundred thirty-nine dollars (\$439) per annum per teacher, administrative supervisory unit, full-time support employee, and adult school bus driver for grades K-14, provided that no more than \$439.00 shall be appropriated per person. Full-time support employees shall be defined as those support employees working at least six hours per day or a minimum of 20 hours per week. Of the above appropriation, there is also appropriated a sufficient sum to provide retired education employees health insurance at the same level as mandated under the provisions of Senate Bill 314 of the 1984 Regular Session.

## SOURCE OF FUNDS:

(1) ASETF .....	34,000,000	
<hr/>		
Total Public Education Employees' Health Insurance Board .....	34,000,000	34,000,000
<hr/>		

16. HEALTH INSURANCE, STATE  
EMPLOYEES':

(a) Employee Benefits Program, Estimated .....	1,483,500
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## SOURCE OF FUNDS:

(1) ASETF .....	1,483,500	
<hr/>		
Total State Employees Health Insurance, Estimated .....	1,483,500	1,483,500
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**17. HIGHER EDUCATION,  
ALABAMA COMMISSION ON:**

(a) Planning & Coordination Services Program .....			1,540,328
The proposed spending plan for the above program is as follows:			
Operations and Maintenance .....	999,524		
Southern Regional Education Board (SREB) .....	290,804		
Program Evaluation .....	250,000		
(b) Student Financial Aid Program .....			5,367,363
Of the above program \$3,000,000 of the ASETF funds shall be expended for the Alabama Student Grant Program in accordance with <u>Code of Alabama 1975</u> , Sections 16-33A-1 through 16-33A-11, inclusive, as amended.			
(c) Support of Other Educational Activities Program .....			500,000
Of the above program, \$500,000 of the ASETF funds shall be expended for support of the Network of Alabama Academic Libraries (NAAL).			
(d) Alabama National Guard Scholarship Program .....			200,000
SOURCE OF FUNDS:			
(1) ASETF .....	5,240,328		
(2) Federal and Local Funds .....		2,367,363	
<hr/>			
Total Alabama Commission on Higher Education .....	5,240,328	2,367,363	7,607,691
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**18. INDUSTRIAL DEVELOPMENT  
TRAINING INSTITUTE,  
ALABAMA:**

(a) Industrial Training Program ..			1,698,334
SOURCE OF FUNDS:			
(1) ASETF .....	1,624,000		

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(2) Federal and Local Funds .	74,334	
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Total Alabama Industrial Development Training Institute .....	1,624,000	74,334	1,698,334
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**19. LAW INSTITUTE, ALABAMA:**

(a) Support of Other Educational Activities Program .....		272,000	
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**SOURCE OF FUNDS:**

(1) ASETF .....	272,000		
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Total Alabama Law Institute .	272,000		272,000
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**20. LEGISLATURE:**

(a) Legislative Data Processing Program .....		166,606	
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**SOURCE OF FUNDS:**

(1) ASETF—Transfer .....	166,606		
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Total Legislature .....	166,606		166,606
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(To be expended under the  
provisions of Act 84-130.)

**21. LIBRARY SERVICE, ALABAMA  
PUBLIC:**

(a) Public Library Service Pro- gram .....		6,177,690	
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The appropriation to the Pub-  
lic Library Service shall in-  
clude a transfer to the State  
Personnel Department of  
\$4,481.

**SOURCE OF FUNDS:**

(1) ASETF .....	4,944,105		
(2) Federal and Local Funds .	1,233,585		

Total Alabama Public Library Service .....	4,944,105	1,233,585	6,177,690
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**22. MARINE ENVIRONMENTAL  
SCIENCES CONSORTIUM:**

(a) Support of Other Educational Activities Program .....		802,131	
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**SOURCE OF FUNDS:**

(1) ASETF .....	625,000		
(2) Federal and Local Funds .....		177,131	
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Total Marine Environmental Sciences Consortium .....	625,000	177,131	802,131
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**23. MEDICAL SCHOLARSHIPS  
AWARDS,  
BOARD OF:**

- (a) Support of Other Educational Activities Program ..... 692,000

**SOURCE OF FUNDS:**

(1) ASETF .....	692,000		
<hr/>			
Total Board of Medical Scholarship Awards .....	692,000		692,000
<hr/>			

(To be expended under the provisions Code of Alabama 1975, Sections 16-47-121 through 16-47-129, inclusive, as amended.)

**24. NURSING, ALABAMA BOARD  
OF:**

- (a) Professional and Occupational Licensing and Regulation Program ..... 914,000

The appropriation to the Alabama Board of Nursing shall include a transfer to the State Personnel Department of \$838.

**SOURCE OF FUNDS:**

- |   |        |         |  |
|---|--------|---------|--|
| (1) ASETF — Transfer — as provided in <u>Code of Alabama 1975</u> , Sections 34-21-60 through 34-21-63, inclusive, as amended ....                  | 57,000 |         |  |
| (2) Alabama Board of Nursing Trust Fund—as provided in <u>Code of Alabama 1975</u> , Sections 34-21-1 through 34-21-43, inclusive, as amended ..... |        | 857,000 |  |
| <hr/>   |        |         |  |

Total Alabama Board of Nursing .....	57,000	857,000	914,000
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25. OPTOMETRIC SCHOLARSHIP  
AWARDS, BOARD OF:

(a) Support of Other Educational Activities Program .....			125,000
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SOURCE OF FUNDS:

(1) ASETF .....	125,000		
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Total Board of Optometric Scholarship Awards .....	125,000		125,000
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(To be expended under the provisions of the Code of Alabama 1975, Sections 34-22-60 through 34-22-65, inclusive, as amended.)

26. PEACE OFFICERS' STANDARDS  
AND TRAINING COMMISSION,  
ALABAMA:

(a) Professional and Occupational Licensing and Regulation Program .....			168,300
(b) Certified Law Enforcement Academy Program .....			750,000

Of the above appropriation for the Certified Law Enforcement Academy Program, \$300,000 of the ASETF funds shall be expended as follows:

Jacksonville State University .....	84,000
University of Ala- bama .....	84,000
James H. Faulkner Jr. College .....	84,000
Troy State Univer- sity—Montgomery .....	48,000
Total .....	300,000

The appropriation to the Alabama Peace Officers' Standards and Training Commission shall include a transfer to the State Personnel Department of \$182.



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**SOURCE OF FUNDS:**

(1) ASETF .....	468,300		
(2) Alabama Peace Officers' Standards and Training Fund—as provided in <u>Code of Alabama 1975,</u> Sections 36-21-40 through 36-21-50, inclusive, as amended .....		450,000	

Total Alabama Peace Officers' Standards and Training Commission .....	468,300	450,000	918,300
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**27. PHYSICAL FITNESS,  
COMMISSION ON:**

(a) Advisory Services Program ..	180,000
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The appropriation to the Commission on Physical Fitness shall include a transfer to the State Personnel Department of \$291.

**SOURCE OF FUNDS:**

(1) ASETF .....	180,000
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Total Commission on Physical Fitness .....	180,000	180,000
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**28. POSTSECONDARY EDUCATION  
DEPARTMENT:**

(a) Postsecondary Two-Year Institutions Program .....	1,240,000
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(b) Program Planning and Enhancement .....	150,000
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**SOURCE OF FUNDS:**

(1) ASETF .....	950,000
(2) Federal and Local Funds ..	440,000

Total Postsecondary Education Department .....	950,000	440,000	1,390,000
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**29. RETIREMENT SYSTEM OF  
ALABAMA,  
EMPLOYEES' (ASETF SHARE):**

(a) Retirement Systems Program, Estimated .....		246,500
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## SOURCE OF FUNDS:

(1) ASETF .....	246,500	
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Total Employees' Retirement System of Alabama (ASETF Share) .....		
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246,500

246,500

30. RETIREMENT SYSTEM OF  
ALABAMA, TEACHERS' (ASETF  
SHARE):

(a) Retirement Systems Program, Estimated .....		160,080,000
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## SOURCE OF FUNDS:

(1) ASETF—Teachers' Re- tirement System, Estim- ated .....	137,100,000	
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(2) ASETF—Teachers' Spe- cial Pension Fund, Esti- mated .....	22,980,000	
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Total Teachers' Retirement System of Alabama (ASETF Share) .....		
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160,080,000

160,080,000

31. SHELTON STATE COMMUNITY  
COLLEGE—ALABAMA STATE  
FIRE COLLEGE:

(a) Postsecondary Two Year Insti- tutions Program .....	676,625	
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## SOURCE OF FUNDS:

(1) ASETF .....	269,828	
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(2) Federal and Local Funds .....		406,797
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Total Shelton State Community College-Alabama State Fire College .....		
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269,828

406,797

676,625

32. SOCIAL SECURITY (ASETF  
SHARE):

(a) For State's share of Social Se- curity, Estimated .....		112,000,000
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## SOURCE OF FUNDS:

(1) ASETF .....	112,000,000	
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Total Social Security (ASETF Share) .....	112,000,000	112,000,000

**33. TENURE COMMISSION, STATE:**

(a) Regulation Program .....		11,000
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**SOURCE OF FUNDS:**

(1) ASETF .....	11,000	

Total State Tenure Commission .....	11,000	11,000

**34. TELEVISION COMMISSION,  
EDUCATIONAL:**

(a) Educational TV Services Program .....		3,083,900
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(b) Public Radio Services Program	267,100	
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The appropriation to the Educational Television Commission shall include a transfer to the State Personnel Department of \$6,376.

**SOURCE OF FUNDS:**

(1) ASETF .....	2,376,000	
(2) Federal and Local Funds .....	975,000	

Total Educational Television Commission .....	2,376,000	975,000	3,351,000

**35. UNEMPLOYMENT  
COMPENSATION—LOCAL  
BOARDS:**

(a) Financial Assistance Program .....		3,150,000
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**SOURCE OF FUNDS:**

(1) ASETF, Estimated .....	3,150,000	

Total Unemployment Compensation—Local Boards .....	3,150,000	3,150,000

**36. VETERANS' EDUCATION  
BENEFITS:**

(a) Administration of Veterans' Affairs Program .....		2,504,000
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## SOURCE OF FUNDS:

(1) ASETF .....	2,504,000	
<hr/>		
Total Veterans' Education Benefits .....	2,504,000	2,504,000
<hr/>		

The above appropriation includes pro rata administration costs of the Department of Veterans Affairs and for the reimbursement to every State Institution of Higher Learning, College, University, Junior College, or Technical College, in which benefits are given to Veterans, their wives, widows, or children under the provisions of Code of Alabama 1975, Sections 31-6-1 through 31-6-17, inclusive, as amended.

37. YOUTH SERVICES,  
DEPARTMENT OF:

(a) Youth Services Program ..... 13,205,268

Of the above appropriation, \$200,000 shall be used for a pilot program in day treatment. The appropriation to the Department of Youth Services shall include a transfer to the State Personnel Department of \$26,559.

## SOURCE OF FUNDS:

(1) ASETF .....	10,569,000		
(2) Federal and Local Funds .....		2,636,268	
<hr/>			
Total Department of Youth Services .....	10,569,000	2,636,268	13,205,268
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(To be expended in accordance with the provisions of the Code of Alabama 1975, Sections 44-1-1 through 44-1-56, inclusive as amended.)

B. FINANCIAL ASSISTANCE TO  
NON-STATE EDUCATIONAL  
AGENCIES:

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1. AMERICAN LEGION AND  
AUXILIARY SCHOLARSHIPS:

(a) Support of Other Educational  
Activities Program ..... 5,300

SOURCE OF FUNDS:

(1) ASETF ..... 5,300

Total American Legion and  
Auxiliary Scholarships ..... 5,300 5,300

(To be expended under the  
provisions of Code of Alabama  
1975, Sections 16-31-1 through  
16-31-4, inclusive, as amended.)

2. DAR SCHOOL, KATE DUNCAN  
SMITH:

(a) Support of Other Educational  
Activities Program ..... 17,000

SOURCE OF FUNDS:

(1) ASETF ..... 17,000

Total Kate Duncan Smith  
DAR School ..... 17,000 17,000

3. EAST ALABAMA CHILD  
DEVELOPMENT CENTER:

(a) Financial Assistance Program . 1,100,000

SOURCE OF FUNDS:

(1) ASETF ..... 1,100,000

Total East Alabama Child  
Development Center ..... 1,100,000 1,100,000

4. MENTAL HEALTH BOARD OF  
BIBB, PICKENS, AND  
TUSCALOOSA COUNTIES:

(a) Financial Assistance Program . 100,000

SOURCE OF FUNDS:

(1) ASETF ..... 100,000

Total Mental Health Board of  
Bibb, Pickens, and Tuscaloosa  
Counties ..... 100,000 100,000

5. MONTGOMERY AREA FAMILY  
VIOLENCE CENTER:

(a) Financial Assistance Program .		15,000
SOURCE OF FUNDS:		
(1) ASETF .....	15,000	
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Total Montgomery Area Family Violence Center .....	15,000	15,000
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## 6. PENELOPE HOUSE, INC.:

(a) Financial Assistance Program .		15,000
SOURCE OF FUNDS:		
(1) ASETF .....	15,000	
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Total Penelope House, Inc. ...	15,000	15,000
<hr/>		

7. SYLACAUGA NURSES  
TRAINING SCHOOL:

(a) Support of Other Educational Activities Program .....		84,600
SOURCE OF FUNDS:		
(1) ASETF .....	84,600	
<hr/>		
Total Sylacauga Nurses Training School .....	84,600	84,600
<hr/>		

## 8. SAFE PLACE:

(a) Social Services Program .....		15,000
SOURCE OF FUNDS:		
(1) ASETF .....	15,000	
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Total Safe Place .....	15,000	15,000
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9. THE LIGHTHOUSE, INC. OF  
MONTGOMERY:

(a) Financial Assistance Program .		7,000
SOURCE OF FUNDS:		
(1) ASETF .....	7,000	
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Total Safe Place .....	7,000	7,000
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## Section 4.

**COLLEGES, UNIVERSITIES AND  
SCHOOLS**

**I. BOARD OF TRUSTEES OF  
UNIVERSITY OF ALABAMA:**

**A. The University**

1. Operations and Maintenance .....	42,546,120	27,834,119	70,380,239
2. Gadsden Educational Programs .....	218,000	75,000	293,000
3. Center for Emotionally Disturbed Children .....	581,560		581,560
4. Nursing Scholarships .....	18,000		18,000
5. Advocacy Program for the Developmentally Disabled .....	26,500		26,500
6. Capstone Medical Center .....	914,000	706,100	1,620,100
7. Alabama Museum of Natural History .....	182,320	65,400	247,720
8. College of Community Health Sciences Medical Education .....	2,700,720	216,160	2,916,880
9. Research, Extension and Public Service .....	5,267,020	240,000	5,507,020
10. School of Mines and Energy Development .....	1,895,980		1,895,980
11. Paramedic and Undergraduate Emergency Medical Services and Training .....	303,700		303,700
12. Rural Infant Stimulation Environment Program .....	204,140		204,140
13. High Risk Nursery .....	124,000		124,000
14. Safe State and Research and Development Program .....	400,680		400,680
15. Industrial Management and Manufacturing Technology Program .....	1,725,000		1,725,000
16. Computer Research and Development .....	500,000		500,000
17. University Research Library .....	400,000		400,000
18. Auxiliary Enterprises .....		21,326,046	21,326,046
19. Restricted Funds .....		15,091,000	15,091,000

**SOURCE OF FUNDS:**

(1) ASETF .....

58,007,740

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(2) Other Funds .....		65,553,825	
Total University of Alabama ..	58,007,740	65,553,825	123,561,565

**B. University of Birmingham in  
Birmingham**

1. University College .....	19,836,437	19,041,300	38,877,737
2. Family Practice Residency Programs .....	1,694,766		1,694,766
The above appropriation shall be expended for residency programs as follows:			
Anniston .....	266,830		
East End .....	266,830		
Jefferson County ..	266,830		
Montgomery .....	266,830		
Selma .....	360,616		
Gadsden .....	266,830		
3. School of Medicine .....	22,501,088	13,899,000	36,400,088
4. University Hospitals .....	6,309,224	163,872,323	170,181,547
5. School of Optometry .....	3,195,294	1,470,700	4,665,994
6. School of Community and Allied Health .....	2,909,880	1,201,100	4,110,980
7. Regional Technical Institute .....	2,566,780	286,600	2,853,380
8. Joint Health Sciences .....	4,152,000	900,500	5,052,500
9. Department of Pediatrics and Children's Hospital .....	1,134,776		1,134,776
10. Center for Labor Education and Research .....	336,828		336,828
11. Student Nurses Loans .....	12,000		12,000
12. Center for Diabetes Research .....	210,000		210,000
13. Urban Research and Public Service	537,605		537,605
14. School of Dentistry .....	7,760,938	4,220,100	11,981,038
15. Nursing Scholarships .....	88,000		88,000
16. System Medical Education Program	533,177		533,177
17. School of Nursing .....	5,151,276	1,207,000	6,358,276
18. Health-Related Research and Public Service .....	3,036,054		3,036,054
19. Public Health Research Program ...	152,146		152,146
20. Emergency Medical Service and Training .....	174,508		174,508



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21. Medical Genetics Program .....	483,526		483,526
22. Hypertension Research .....	423,312		423,312
23. Multipurpose Arthritis Center .....	423,312		423,312
24. School of Engineering and Business .....	465,492		465,492
25. School of Public Health .....	1,623,254	342,000	1,965,254
26. Montgomery Internal Medicine Residency .....	299,057		299,057
27. Research Development and Relations .....	394,000		394,000
28. Center for Cystic Fibrosis Research .....	90,100		90,100
29. Center for Congenital Heart Disease .....	90,100		90,100
30. Center for Nuclear Magnetic Resonance Studies .....	500,000		500,000
31. Dental/Medical Research .....	150,000		150,000
32. Virology Laboratory .....	41,000		41,000
33. Special Mental Health .....		3,510,755	3,510,755
34. Center for Developmental and Learning Disorders .....		708,779	708,779
35. Auxiliary Enterprises .....		8,004,900	8,004,900
36. Restricted Funds .....		50,508,000	50,508,000

**SOURCE OF FUNDS:**

(1) ASETF .....	87,275,930		
(2) Special Mental Health Trust Fund .....		4,219,534	
(3) Other Funds .....		264,953,523	

Total University of Alabama in Birmingham .....	87,275,930	269,173,057	356,448,987
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**C. University of Alabama in Huntsville**

1. Operations and Maintenance .....	10,749,660	7,652,609	18,402,269
2. Nursing Scholarships .....	18,000		18,000
3. School of Primary Medical Care .....	3,011,580	325,200	3,336,780
4. Johnson Environmental and Energy Center .....	407,823	39,043	446,866
5. Ambulatory Care Center .....	924,000	440,000	1,364,000
6. School of Nursing .....	965,000	271,383	1,236,383
7. Paramedic Training .....	131,000	21,480	152,480
8. Alabama Solar Energy Center .....	378,067		378,067

9. Center for Management and Economic Research .....	99,608		99,608
10. Community Medicine Rural Preceptorship Program .....	34,000		34,000
11. Research Institute .....	259,502	272,707	532,209
12. High Technology Resources Foundation .....	600,000		600,000
13. Developmental Computer Education .....	100,000		100,000
14. Auxiliary Enterprises .....		2,043,882	2,043,882
15. Restricted Funds .....		3,981,522	3,981,522

## SOURCE OF FUNDS:

(1) ASETF .....	17,678,240		
(2) Other Funds .....		15,047,826	
Total University of Alabama in Huntsville .....	17,678,240	15,047,826	32,726,066

## II. Board of Trustees of Alabama A &amp; M University

## A. Alabama A &amp; M University

1. Operations and Maintenance .....	9,996,040	5,536,000	15,532,040
2. Vocational Teacher Training .....	280,000		280,000
3. Cooperative Extension, Research and Service .....	871,109		871,109
4. Auxiliary Enterprises .....		4,244,111	4,244,111
5. Restricted Funds .....		6,983,216	6,983,216

## SOURCE OF FUNDS:

(1) ASETF .....	11,147,149		
(2) Other Funds .....		16,763,327	
Total Alabama A & M University .....	11,147,149	16,763,327	27,910,476

## III. Board of Trustees of Alabama State University

## A. Alabama State University

1. Operations and Maintenance .....	9,104,540	4,586,490	13,691,030
2. Educational Radio Station .....	200,000		200,000
3. Public Services Program .....	100,000		100,000
4. Educational Enhancement .....	1,500,000		1,500,000

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5. Auxiliary Enterprises .....	4,508,910	4,508,910
6. Restricted Funds .....	6,841,430	6,841,430

**SOURCE OF FUNDS:**

(1) ASETF .....	10,904,540	
(2) Other Funds .....	15,936,830	

Total Alabama State University .....	10,904,540	15,936,830	26,841,370
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**IV. State Board of Education**

**A. Athens State College**

1. Operations and Maintenance .....	2,499,114	938,127	3,437,241
2. Auxiliary Enterprises .....		211,319	211,319
3. Restricted Funds .....		205,000	205,000

**SOURCE OF FUNDS:**

(1) ASETF .....	2,499,114	
(2) Other Funds .....	1,354,446	

Total Athens State College ...	2,499,114	1,354,446	3,853,560
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**V. Board of Trustees of Auburn University**

**A. Auburn University**

1. Operations and Maintenance .....	51,918,570	34,671,222	86,589,792
2. Educational Television .....	409,697		409,697
3. Center for Vocational and Adult Education .....	581,845		581,845
4. Clinical Psychology .....	128,006		128,006
5. Ralph Draughon Library .....	339,452		339,452
6. Engineering Experiment Station ...	1,240,121		1,240,121
7. Public Service, Research and Extension .....	419,929		419,929
8. Energy Research .....	299,950		299,950
9. Food Animal Health and Disease Research .....	371,000		371,000
10. Veterinary Teaching Hospital and Clinic .....	300,000		300,000
11. Truman Pierce Institute for the Advancement of Teacher Education	100,000		100,000
12. Forestry Program .....	100,000		100,000

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13. Nursing Scholarships .....	18,000		18,000
14. Advanced Manufacturing Technology Center .....	500,000		500,000
15. Development of Genetic Engineering Applications .....	500,000		500,000
16. Auxiliary Enterprises .....		25,088,137	25,088,137
17. Restricted Funds .....		10,532,550	10,532,550

**SOURCE OF FUNDS:**

(1) ASETF .....	57,226,570		
(2) Other Funds .....		70,291,909	

Total Auburn University .....	57,226,570	70,291,909	127,518,479
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**B. Agricultural Experiment Station**

1. Operations and Maintenance .....	10,764,013	5,090,406	15,854,419
2. Poultry Development Program/ Other Research/Capital Outlay .....	500,000		500,000
3. Restricted Funds .....		6,764,669	6,764,669

**SOURCE OF FUNDS:**

(1) ASETF .....	11,264,013		
(2) Other Funds .....		11,855,075	

Total Agricultural Experiment Station .....	11,264,013	11,855,075	23,119,088
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**C. Cooperative Extension Service**

1. Operations and Maintenance .....	11,728,441		11,728,441
2. Retirement .....	1,568,000		1,568,000
3. Restricted Funds .....		10,336,798	10,336,798

**SOURCE OF FUNDS:**

(1) ASETF .....	13,296,441		
(2) Other Funds .....		10,336,798	

Total Cooperative Extension Service .....	13,296,441	10,336,798	23,633,239
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**D. Auburn University at Montgomery**

1. Operations and Maintenance .....	8,977,330	5,238,551	14,215,881
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2. Montgomery Area Community Health Sciences Institute .....	54,000		54,000
3. Public Service, Research and Extension .....	478,000	55,000	533,000
4. Nursing Scholarships .....	18,000		18,000
5. Auxiliary Enterprises .....		1,815,000	1,815,000
6. Restricted Funds .....		1,627,028	1,627,028

**SOURCE OF FUNDS:**

(1) ASETF .....	9,527,330		
(2) Other Funds .....		8,735,579	
<b>Total Auburn University at Montgomery .....</b>	<b>9,527,330</b>	<b>8,735,579</b>	<b>18,262,909</b>

**VI. Board of Trustees at Jacksonville State University**

**A. Jacksonville State University**

1. Operations and Maintenance .....	13,157,940	5,879,000	19,036,940
2. Gadsden Educational Program .....	464,000	30,000	494,000
3. Nursing Scholarships .....	18,000		18,000
4. United Cerebral Palsy Development Center for East Central Alabama ..	107,000		107,000
5. Vocational Teacher Training .....	107,000		107,000
6. Developmental Education Project ..	200,435		200,435
7. Center for Economic Development ..	149,565		149,565
8. Auxiliary Enterprises .....		2,784,515	2,784,515
9. Restricted Funds .....		2,710,000	2,710,000

**SOURCE OF FUNDS:**

(1) ASETF .....	14,203,940		
(2) Other Funds .....		11,403,515	
<b>Total Jacksonville State University .....</b>	<b>14,203,940</b>	<b>11,403,515</b>	<b>25,607,455</b>

**VII. Board of Trustees of Livingston University**

**A. Livingston University**

1. Operations and Maintenance .....	4,770,850	1,044,380	5,815,230
2. Nursing Scholarships .....	18,000		18,000
3. Auxiliary Enterprises .....		2,102,723	2,102,723

4. Restricted Funds .....	521,372	521,372
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## SOURCE OF FUNDS:

(1) ASETF .....	4,788,850	
(2) Other Funds .....	3,668,475	
Total Livingston University ...	4,788,850	3,668,475 8,457,325

VIII. Board of Trustees of University of  
Montevallo

## A. University of Montevallo

1. Operations and Maintenance .....	7,234,940	3,452,803	10,687,743
2. School for Aphasic Children .....	286,994		286,994
3. Highway Safety Program .....	145,834		145,834
4. Communication Center .....	100,405		100,405
5. Institute for Management Information Systems .....	185,400		185,400
6. Auxiliary Enterprises .....		3,087,153	3,087,153
7. Restricted Funds .....		987,774	987,774

## SOURCE OF FUNDS:

(1) ASETF .....	7,953,573	
(2) Other Funds .....	7,527,730	
Total University of Montevallo	7,953,573	7,527,730 15,481,303

IX. Board of Trustees of University of  
North Alabama

## A. University of North Alabama

1. Operations and Maintenance .....	10,033,180	5,570,900	15,604,080
2. Research and Public Service .....	365,000		365,000
3. Nursing Scholarships .....	18,000		18,000
4. Center for Business Productivity and Relations .....	200,000		200,000
5. Developmental Computer Education	100,000		100,000
6. Auxiliary Enterprises .....		1,869,972	1,869,972
7. Restricted Funds .....		260,290	260,290

## SOURCE OF FUNDS:

(1) ASETF .....	10,716,180	
(2) Other Funds .....	7,701,162	

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Total University of North Alabama .....	10,716,180	7,701,162	18,417,342
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**X. Board of Trustees of University of  
South Alabama**

**A. University of South Alabama**

1. Operations and Maintenance .....	15,845,194	15,158,306	31,003,500
2. Medical Research and Public Service .....	300,784		300,784
3. Family Practice Residency Program .....	602,391		602,391
4. College of Medicine .....	10,676,160	5,730,800	16,406,960
5. Medical Center Hospital .....	1,213,000	42,557,517	43,770,517
6. College of Allied Health .....	973,678	263,000	1,236,678
7. College of Nursing .....	896,434	336,794	1,233,228
8. Nursing Scholarships .....	18,000		18,000
9. Paramedic Training Program .....	149,000	75,000	224,000
10. Newborn Growth and Development Program .....	85,684		85,684
11. Birth Defects and Genetic Center ..	212,141		212,141
12. Research and Public Service .....	98,000	60,000	158,000
13. Basic Medical Sciences .....	349,224	78,000	427,224
14. Alabama Business Transportation Program .....	100,000		100,000
15. Environmental and Economic Services Program .....	100,000		100,000
16. Auxiliary Enterprises .....		6,945,810	6,945,810
17. Restricted Funds .....		8,631,500	8,631,500

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**SOURCE OF FUNDS:**

(1) ASETF .....	31,619,690	
(2) Other Funds .....		79,836,727

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Total University of South Alabama .....	31,619,690	79,836,727	111,456,417
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**XI. Board of Trustees of Troy State  
University**

**A. Troy State University**

1. Operations and Maintenance at Troy .....	8,611,002	5,322,956	13,933,958
2. Operations and Maintenance at Ft. Rucker/Dothan .....	1,329,354	1,485,897	2,815,251

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3. Operations and Maintenance at Montgomery .....	695,462	1,591,000	2,286,462
4. Nursing Scholarships .....	36,000		36,000
5. Operations and Maintenance at Bay Minette .....	273,187	166,425	439,612
6. School of Nursing-Montgomery ....	250,000	20,700	270,700
7. Branch Campus at Phenix City ....	532,895	394,117	927,012
8. Center for Developmental Education .....	200,000		200,000
9. Public Radio Station .....	200,000		200,000
10. Research and Public Service .....	196,950		196,950
11. Auxiliary Enterprises .....		4,500,000	4,500,000
12. Restricted Funds .....		1,091,500	1,091,500

**SOURCE OF FUNDS:**

(1) ASETF .....	12,324,850		
(2) Other Funds .....		14,572,595	
<b>Total Troy State University ..</b>	<b>12,324,850</b>	<b>14,572,595</b>	<b>26,897,445</b>

**XII. Board of Trustees for Alabama  
Institute for Deaf and Blind**

1. Children and Youth Programs .....	7,605,828	1,281,700	8,887,528
2. E. H. Gentry Technical Facility ....	2,332,326	2,176,000	4,508,326
3. Industries for the Blind .....	642,418	12,562,000	13,204,418
4. Health Insurance .....	190,000		190,000

**SOURCE OF FUNDS:**

(1) ASETF .....	10,770,572		
(2) Other Funds .....		16,019,700	
<b>Total Alabama Institute for Deaf and Blind .....</b>	<b>10,770,572</b>	<b>16,019,700</b>	<b>26,790,272</b>

**Section 5.**

**A. GOVERNOR'S EDUCATION**

**PROGRAM:**

**STATE BOARD OF EDUCATION ... 14,809,140**

For the enhancement of educational opportunities in math, science, language arts, and computer education including but not limited to the purchase of equipment, the hiring of



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temporary, adjunct teaching personnel, implementation of acts and resolutions passed by the 1984 Legislature, and to support the study of public education in Alabama. Said programs to be implemented by the State Board of Education at the direction of and with the approval of the Governor.

**SOURCE OF FUNDS:**

(1) ASETF .....	14,809,140	
<hr/>		
Total Governor's Education Program .....	14,809,140	14,809,140
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**B. TRENHOLM STATE TECHNICAL  
COLLEGE — FOR PARAMEDIC  
TRAINING:**

125,000

**SOURCE OF FUNDS:**

(1) ASETF .....	125,000	
<hr/>		
Total Trenholm State Technical College—For Paramedic Training .....	125,000	125,000
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**Section 6.**

The following appropriations are hereby made from non-recurring revenues.

**A. ELEMENTARY/SECONDARY  
EDUCATION:**

1. State Board of Education .....	27,000,000
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(To be distributed based upon a procedure to be determined by the State Board of Education.)

- (a) School Buses ..... 20,000,000
- (b) Library Enhancement  
(K-12) ..... 5,000,000
- (c) Textbooks ..... 1,000,000
- (d) Math, Computer Instructional,  
and Science  
Equipment ..... 1,000,000

**SOURCE OF FUNDS:**

(1) ASETF .....	27,000,000	
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Total State Board of Education .....		27,000,000	27,000,000
<hr/>			
2.	State Department of Education .....		2,000,000
	(a) State Testing		
	Materials .....	700,000	
	(b) Basic Competency		
	Program .....	400,000	
	(c) Basic Skills Program ..	900,000	
	SOURCE OF FUNDS:		
	(1) ASETF .....	2,000,000	
	<hr/>		
	Total State Department of Education .....	2,000,000	2,000,000
	<hr/>		
3.	Public School and College Authority, Alabama .....		8,050,000
	SOURCE OF FUNDS:		
	(1) ASETF .....	8,050,000	
	<hr/>		
	Total Alabama Public School and College Authority .....	8,050,000	8,050,000
	<hr/>		
4.	Burned-Out Schools and School and Facility Repair .....		2,000,000
	(To be distributed as determined by the Alabama Public School and Col- lege Authority.)		
	SOURCE OF FUNDS:		
	(1) ASETF .....	2,000,000	
	<hr/>		
	Total Burned-Out Schools .....	2,000,000	2,000,000
	<hr/>		
5.	Public Education Employees' Health Insurance Board		
	(a) Administrative Support Ser- vices Program .....		2,500,000
	(The above appropriation to the Public Education Employ- ees' Health Insurance Board is to be invested and reinvested and used for the sole purpose of funding the necessary re-		

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serve as determined by claims  
expense.)

**SOURCE OF FUNDS:**

(1) ASETF .....	2,500,000	
<hr/>		

Total Public Education Employees' Health Insurance Board .....	2,500,000	2,500,000
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**B. HIGHER EDUCATION:**

- |   |  |           |
|---|--|-----------|
| 1. Alabama Research Institute .....   |  | 2,500,000 |
| (To be expended in accordance with<br>Executive Order No. 10, dated May<br>11, 1983.) |  |           |

**SOURCE OF FUNDS:**

(1) ASETF .....	2,500,000	
<hr/>		

Total Alabama Research Institute .....	2,500,000	2,500,000
<hr/>		

2. Board of Trustees of Alabama State  
University

- |                                   |  |           |
|-----------------------------------|--|-----------|
| (a) Alabama State University .... |  | 1,500,000 |
| (For Special Projects)            |  |           |

**SOURCE OF FUNDS:**

(1) ASETF .....	1,500,000	
<hr/>		

Total Alabama State University .....	1,500,000	1,500,000
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3. Board of Trustees of Alabama A &  
M University

- |                                 |  |           |
|---------------------------------|--|-----------|
| (a) Alabama A & M University .. |  | 1,500,000 |
|---------------------------------|--|-----------|

To be expended as follows:

Program Enhance- ment .....	500,000
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High Technology Resource Founda- tion .....	1,000,000
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**SOURCE OF FUNDS:**

(1) ASETF .....	1,500,000	
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Total Alabama A & M University .....	1,500,000	1,500,000
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## 4. Board of Trustees of University of Alabama

- (a) The University of Alabama . . . 1,250,000  
(For research, capital outlay or  
program development)

## SOURCE OF FUNDS:

(1) ASETF . . . . . 1,250,000

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Total The University of  
Alabama . . . . . 1,250,000 1,250,000

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- (b) University of Alabama in Bir-  
mingham . . . . . 1,000,000  
(For research, capital outlay or  
program development)

## SOURCE OF FUNDS:

(1) ASETF . . . . . 1,000,000

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Total University of Alabama  
in Birmingham . . . . . 1,000,000 1,000,000

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- (c) University of Alabama in  
Huntsville . . . . . 900,000  
(For High Technology Re-  
source Foundation)

## SOURCE OF FUNDS:

(1) ASETF . . . . . 900,000

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Total University of Alabama  
in Huntsville . . . . . 900,000 900,000

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## 5. Board of Trustees of Auburn University

- (a) Auburn University . . . . . 1,000,000  
(For research, capital outlay or  
program development)

## SOURCE OF FUNDS:

(1) ASETF . . . . . 1,000,000

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Total Auburn University . . . . . 1,000,000 1,000,000

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- (b) Auburn University at Mont-  
gomery . . . . . 477,801

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(For capital outlay or program  
development)

**SOURCE OF FUNDS:**

(1) ASETF .....	477,801	
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Total Auburn University at Montgomery .....	477,801	477,801
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**6. Board of Trustees of Jacksonville  
State University**

(a) Jacksonville State University .	220,954
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(For capital outlay or program  
development)

**SOURCE OF FUNDS:**

(1) ASETF .....	220,954	
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Total Jacksonville State University .....	220,954	220,954
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**7. Board of Trustees of University of  
Montevallo**

(a) University of Montevallo .....	244,755
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(For capital outlay or program  
development)

**SOURCE OF FUNDS:**

(1) ASETF .....	244,755	
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Total University of Montevallo	244,755	244,755
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**8. Board of Trustees of University of  
North Alabama**

(a) University of North Alabama .	361,637
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(For capital outlay or program  
development)

**SOURCE OF FUNDS:**

(1) ASETF .....	361,637	
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Total University of North Alabama .....	361,637	361,637
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**9. Board of Trustees of University of  
South Alabama**

(a) University of South Alabama .	500,000
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(For research, capital outlay or  
program development)

**SOURCE OF FUNDS:**

(1) ASETF .....	500,000	
<hr/>		
Total University of South Alabama .....	500,000	500,000
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**10. Board of Trustees of Troy State  
University**

(a) Troy State University .....	499,708
(For capital outlay or program development)	

**SOURCE OF FUNDS:**

(1) ASETF .....	499,708	
<hr/>		
Total Troy State University ..	499,708	499,708
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**11. State Board of Education—Athens  
State College**

(a) Athens State College .....	150,000
(For scientific technology equipment)	

**SOURCE OF FUNDS:**

(1) ASETF .....	150,000	
<hr/>		
Total State Board of Education—Athens State College .....	150,000	150,000
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**12. State Board of Education—Junior  
College System**

1,900,717

(a) Equipment .....	1,360,238
(b) Faculty Development and In- Service Training .....	540,479

**SOURCE OF FUNDS:**

(1) ASETF .....	1,900,717	
<hr/>		
Total State Board of Education—Junior College School System .....	1,900,717	1,900,717
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**13. State Board of**

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Education—Technical College System	1,819,759
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(a) Equipment . . . . . 1,360,238

(b) Faculty Development and In-  
Service Training . . . . . 459,521

**SOURCE OF FUNDS:**

(1) ASETF . . . . . 1,819,759

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Total State Board of Education—Technical College System . . . . .	1,819,759	1,819,759
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**14. Marine Environmental Sciences  
Consortium:**

(a) Support of Other Educational  
Activities Program . . . . . 36,000

**SOURCE OF FUNDS:**

(1) ASETF . . . . . 36,000

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Total Marine Environmental Sciences Consortium . . . . .	36,000	36,000
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**15. Alabama Small Business  
Development Consortium:**

(a) Support of Other Educational  
Activities Program . . . . . 396,587

**SOURCE OF FUNDS:**

(1) ASETF . . . . . 396,587

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Total Alabama Small Business Development Consortium . . . . .	396,587	396,587
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**C. OTHER:**

**1. Educational Television Commission:**

(a) Educational Television Ser-  
vices Program . . . . . 100,000  
(For equipment purchases)

**SOURCE OF FUNDS:**

(1) ASETF . . . . . 100,000

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Total Educational Television Commission . . . . .	100,000	100,000
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2. Children's Hospital of Birmingham:		625,000
SOURCE OF FUNDS:		
(1) ASETF .....	625,000	
Total Children's Hospital of Birmingham .....	625,000	625,000
3. Opportunities Industrialization Center:		100,000
SOURCE OF FUNDS:		
(1) ASETF .....	100,000	
Total Opportunities Industrialization Center .....	100,000	100,000
4. Southeast Alabama Rehabilitation Center of Dothan .....		50,000
SOURCE OF FUNDS:		
(1) ASETF .....	50,000	
Total Southeast Alabama Rehabilitation Center of Dothan .....	50,000	50,000
5. Small Business Procurement System .....		150,000
SOURCE OF FUNDS:		
(1) ASETF .....	150,000	
Total Small Business Procurement System .....	150,000	150,000

## Section 7. A. SPECIAL MENTAL HEALTH FUND:

(1) There is hereby appropriated from the Special Mental Health Trust Fund to the Board of Trustees of the University of Alabama for the University of Alabama in Birmingham \$3,510,755 to be expended for Special Mental Health.

(2) There is hereby appropriated from the Special Mental Health Trust Fund to the Board of Trustees of the University of Alabama for the University of Alabama in Birmingham \$708,779 to be expended for the Center for Developmental and Learning Disorders.

## B. ALABAMA BOARD OF NURSING TRUST FUND:

There is hereby appropriated from the Alabama Board of Nursing Trust Fund to the Alabama Board of Nursing \$857,000 to be expended for the Professional and Occupational Licensing and Regulation Program.



**C. ALABAMA PEACE OFFICERS' STANDARDS AND TRAINING FUND:**

There is hereby appropriated from the Alabama Peace Officers' Standards and Training Fund to the Alabama Peace Officers' Standards and Training Commission \$450,000 to be expended for the Certified Law Enforcement Academy Program.

**D. PUBLIC SCHOOL FUND:**

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258, and 259 of the Constitution of Alabama 1901 and the amount appropriated from all other funds as is now provided by law, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools. There is hereby appropriated thirty-seven million and seven hundred thousand dollars (\$37,700,000) from the Public School Fund for the Minimum Program Fund to be expended under the Financial Assistance Program as shown in subsection 3-A-7(a). If the Public School Fund receives more revenue than appropriated for the fiscal year ending September 30, 1985, the excess in revenue shall be carried over as a beginning balance for the fiscal year beginning October 1, 1985.

Section 8. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds appropriated to the State Department of Education and/or the State Board of Education in this Act, whereupon the Comptroller shall issue his warrant therefor. All other appropriations in this Act shall be paid on request by the Comptroller in the manner now provided by law.

Section 9. Nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other education or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which are now or may hereafter be authorized to receive, collect or disburse. The receiving college, school or institution shall further maintain separate accounts for such receipts or shall maintain a system of accounting which will show a cash flow of such receipts received under the provision of this appropriation. Further, all state, county and education entities are authorized to disburse such funds as deemed necessary by mutual agreement between said entities and the State of Alabama, Department of Examiners of Public Accounts to partially defray the cost of auditing services performed by said agency. All such sums are hereby appropriated and reappropriated if necessary to the Department of Examiners of Public Accounts for audit services, to be expended through the fund established by the Code of Alabama 1975, Section 41-5-24.

Section 10. All encumbered balances of all prior-year appropriations shall revert to the State Treasury at the end of the 1984-85 fiscal year and to the credit of the Alabama Special Educational Trust Fund or the Trust Fund from which the appropriation or appropriations were made. Appropriations for the purchase of land or the erection of buildings or new construction shall continue in force until the completion of the work for which such appropriations are made.

Section 11. The provisions of this Act are severable. If any section, paragraph, sentence, clause, provision, or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made.

Section 12. This act shall become effective on October 1, 1984.

Yeas 87; Nays 14.

*Yeas:*

Mr. Speaker, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Britnell, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Harvey, Hettinger, Holley, Holmes, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McNair, Marietta, Martin, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Turnham, Warren, White (F), White (L), and Zoghby.

—87

*Nays:*

Reps.: Adams, Bachus, Brooks, Cosby, Hall, Hammett, Harper, Hooper, McKee, McMillan, Mikell, Poole, Venable and White (G).

—14

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 380. To allow certain foreign and domestic corporations which qualify for S corporation treatment under the Internal Revenue Code to pass the tax treatment through to shareholders as provided by the Internal Revenue Code instead of being taxed as provided by Section 40-18-31, Code of Alabama 1975, on the entire net income of the corporation; and to provide for the determination of the amount of taxable income for such corporations.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 176. To provide facilities for displaying certain exhibits in cooperation with the Tennessee Valley Authority; to create the Tennessee Valley Authority Exhibit Commission of Alabama as an agency of the State of Alabama and to provide for its membership, terms, authority and duties; to

authorize the issuance of revenue bonds; to authorize the allocation and expenditure of funds; and to provide exemptions from all taxes.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 215. To amend Section 1 of Act No. 83-889, Fourth Special Session of 1983, so as to define "Discovery well", "Development wells", "On-shore well", "Replacement well", "Commenced", "Completion" and "Pool", and to amend Section 2 of Act No. 83-889, Fourth Special Session of 1983, so as to provide that all oil and gas produced from onshore discovery wells, all oil and gas produced from onshore development wells on which drilling commenced within four years of the completion date of the discovery well and producing from a depth of 6,000 feet or greater, and all oil and gas produced from onshore development wells on which drilling commenced within two years of the completion date of the discovery well and producing from a depth less than 6,000 feet shall be taxed at a rate of six (6) percent of the gross value of said oil and gas at the point of production for a period of five (5) years from the date production begins from said discovery and development wells, provided that said discovery and development wells were permitted by the State Oil and Gas Board of Alabama after July 1, 1984; and providing further that the six (6) percent tax rate applicable to a discovery well or development well shall be applicable to any replacement well drilled to replace the discovery well or the development well during the six-percent, five-year, tax-rate period for only the remainder of the said tax-rate period.

by a majority of the whole number elected to the Senate, said vote being Yeas 20, Nays 0.

And said Bill, H. B. 215, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being Yeas 18, Nays 0.

And said Bill, H. B. 215, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,  
Secretary.

MOTION TO RECESS

Rep. Johnson (Roy) offered the motion that the House recess until 7:45 o'clock p.m.

SUBSTITUTE MOTION LOST

The substitute motion offered by Rep. Brooks that the House adjourn until 10:00 o'clock a.m., Monday, May 21, 1984, was lost.

Yeas 19; Nays 75.

Yeas:

Reps.: Adams, Bachus, Beers, Boles, Box, Brooks, Clark (D), Flowers,

Goodwin, Hettinger, Johnson (R.G.), Lindsey, McDowell, McKee, McNair, Preuitt, Rogers, Sasser and Trammell.

—19

*Nays:*

Mr. Speaker, Albright, Biddle, Black, Blake, Blakeney, Bowling, Britnell, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (J), Clark (W), Cosby, Crow, Davis, Dutton, Faulk, Ford, Fuller, Gaston, Gray, Grouby, Hall, Harper, Harvey, Holley, Hooper, Horn, Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, McMillan, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newnan, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Rains, Reed, Rice, Richardson, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghyb.

—75

The question was then on the motion that the House recess until 7:45 o'clock p.m., and the motion was adopted.

#### RECESS

On motion of Rep. Johnson (Roy), the House recessed until 7:45 o'clock p.m.

#### HOUSE RECONVENED

The hour of 7:45 o'clock p.m. having arrived, the House reconvened. The Speaker called the House to order.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 76. To further regulate and control transactions in alcoholic beverages which take place in Alabama by and under the supervision of the Alabama alcoholic beverage control board; to authorize municipal option elections to determine classification of municipalities as wet or dry municipalities as to alcoholic beverages; to provide that any municipality having a population of 7,000 or more, may change its classification from dry to wet or wet to dry by a municipal option election, upon the petition of 25% of the number of voters voting in the last preceding general election of the municipality in said municipality; to provide for the manner and requirements of holding said municipal option election and for payment of the expenses of same; and to provide that a period of not less than 720 days must elapse between the dates of such municipal option elections.

McDOWELL LEE,  
Secretary.

#### SPECIAL ORDER RESUMED

And the bill:

S. 193. To amend Sections 25-5-13 and 25-5-50, Code of Alabama, 1975, so as to provide for certain additions and to remove certain exceptions from compulsory participation.

Was read a third time at length and passed.

Yeas 61; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Black, Blakeney, Boles, Box, Britnell, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Carothers, Clark (J), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Flowers, Gaston, Gray, Grayson, Hammett, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Parker, Pratt, Preuitt, Rains, Richardson, Rogers, Smith, Spratt, Starr, Thomas, Trammell, Turner, Venable, Warren and White (G).

—61

And the bill:

S. 16. To require that contracts entered into by the State of Alabama must be executed in a timely manner.

Was read a third time at length and passed.

Yeas 67; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Beers, Black, Blakeney, Boles, Box, Britnell, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carothers, Clark (J), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Flowers, Gaston, Gray, Grayson, Hammett, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Poole, Pratt, Preuitt, Rains, Reed, Richardson, Rogers, Smith, Spratt, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F) and White (G).

—67

And the bill:

S. 126. To provide that a local board of education may at its discretion allow a sick leave bank for its employees to be established upon the request of such employees.

Was read a third time at length and passed.

Yeas 81; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Beers, Biddle, Black, Blakeney, Boles, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Faulk, Flowers, Gaston, Goodwin, Gray, Grayson, Hammett, Harper, Harvey, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McMillan, Marietta, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell,

Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—81

And the bill:

S. 395. To amend Section 36-22-16 of the Code of Alabama, 1975, to provide for the compensation of the sheriffs of the several counties in this state.

Was taken up.

#### AMENDMENT OFFERED

Rep. Carter offered the following amendment to the bill, S. 395:

Amend S. 395, in the Synopsis, page 1, line 10, after the word counties, by inserting the following

,excluding Limestone County,

And in the Title, page 1, line 18, after the word "counties" by inserting the following:

,excluding Limestone County

And in Section 1, page 1, line 23, after the word "counties" by inserting the following:

,excluding Limestone County,

#### MOTION TO TABLE LOST

The motion offered by Rep. Clark (J), to table the amendment offered by Rep. Carter to the bill, S. 395, was lost.

Yeas 32; Nays 45.

*Yeas:*

Mr. Speaker, Biddle, Black, Boles, Box, Bryant, Bugg, Buskey (John), Campbell, Clark (J), Clark (W), Coleman, Cosby, Crow, Hettinger, Johnson (Roy), Lindsey, McMillan, Marietta, Moore, Nicholson, Parker, Poole, Smith, Tanner, Thomas, Turner, Warren, White (F), White (G), White (L) and Zoghby.

—32

*Nays:*

Reps.: Adams, Bachus, Beers, Blake, Blakeney, Brooks, Butler, Carothers, Carter, Clark (D), Davis, Dutton, Escott, Faulk, Flowers, Gaston, Goodwin, Gray, Hall, Harper, Holley, Hooper, Horn, Johnson (R.G.), Junkins, Kvalheim, Laird, Lauderdale, McDowell, McKee, Mathis, Melton, Newman, Onderdonk, Pratt, Preuitt, Rains, Rice, Richardson, Rogers, Sasser, Seibels, Spratt, Starkey and Turnham.

—45

REPORT OF THE STANDING COMMITTEE ON RULES  
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill to-wit:

H. 215. To amend Section 1 of Act No. 83-889, Fourth Special Session of 1983, so as to define "Discovery well", "Development wells", "Onshore well", "Replacement well", "Commenced", "Completion" and "Pool", and to amend Section 2 of Act No. 83-889, Fourth Special Session of 1983, so as to provide that all oil and gas produced from onshore discovery wells, all oil and gas produced from onshore development wells on which drilling commenced within four years of the completion date of the discovery well and producing from a depth of 6,000 feet or greater, and all oil and gas produced from onshore development wells on which drilling commenced within two years of the completion date of the discovery well and producing from a depth less than 6,000 feet shall be taxed at a rate of six (6) percent of the gross value of said oil and gas at the point of production for a period of five (5) years from the date production begins from said discovery and development wells, provided that said discovery and development wells were permitted by the State Oil and Gas Board of Alabama after July 1, 1984; and providing further that the six (6) percent tax rate applicable to a discovery well or development well shall be applicable to any replacement well drilled to replace the discovery well or the development well during the six-percent, five-year, tax-rate period for only the remainder of the said tax-rate period.

And finds same correctly enrolled with Executive Amendment.

JIMMY CLARK,  
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 76. To further regulate and control transactions in alcoholic beverages which take place in Alabama by and under the supervision of the Alabama alcoholic beverage control board; to authorize municipal option elections to determine classification of municipalities as wet or dry municipalities as to alcoholic beverages; to provide that any municipality having a population of 7,000 or more, may change its classification from dry to wet or wet to dry by a municipal option election, upon the petition of 25% of the number of voters voting in the last preceding general election of the municipality in said municipality; to provide for the manner and requirements of holding said municipal option election and for payment of

the expenses of same; and to provide that a period of not less than 720 days must elapse between the dates of such municipal option elections.

McDOWELL LEE,  
Secretary.

### SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill, the title of which is set out in the above and foregoing Message from the Senate.

### S. 395 RESUMED

The question was then on the adoption of the amendment offered by Rep. Carter to the bill, S. 395.

### MOTION TO POSTPONE

Rep. Johnson (Roy) offered the motion to indefinitely postpone the amendment offered by Rep. Carter to the bill, S. 395.

### SUBSTITUTE MOTION LOST

The substitute motion offered by Rep. Hall to indefinitely postpone the bill, S. 395, and the pending amendment was lost.

Yeas 21; Nays 62.

*Yeas:*

Reps.: Brooks, Butler, Carothers, Carter, Clark (D), Davis, Escott, Flowers, Gaston, Goodwin, Hall, Horn, Kvalheim, McKee, Melton, Parker, Rains, Rogers, Spratt, Turnham and White (G).

—21

*Nays:*

Mr. Speaker, Bachus, Biddle, Black, Blake, Blakeney, Boles, Box, Britnell, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Campbell, Clark (J), Clark (W), Coleman, Cosby, Crow, Dutton, Faulk, Harper, Harvey, Hettinger, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Laird, Lauderdale, Lindsey, McDowell, McMillan, Marietta, Martin, Mathis, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Poole, Pratt, Rice, Richardson, Sasser, Seibels, Smith, Starkey, Starr, Tanner, Thomas, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—62

### AMENDMENT POSTPONED

The question was then on the adoption of the amendment offered by Rep. Carter to the bill, S. 395, and on motion of Rep. Johnson (Roy), the amendment was indefinitely postponed.

Yeas 45; Nays 34.

*Yeas:*

Mr. Speaker, Bachus, Biddle, Black, Blake, Blakeney, Boles, Box, Browder, Bryant, Bugg, Burke, Buskey (James), Campbell, Clark (J), Clark (W),



Cosby, Crow, Gaston, Harper, Harvey, Holley, Hooper, Johnson (Roy), Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mitchell, Moore, Newman, Onderdonk, Poole, Pratt, Smith, Starkey, Tanner, Thomas, Turner, Warren, White (F), White (L) and Zoghby.

—45

*Nays:*

Reps.: Adams, Brooks, Butler, Carothers, Carter, Clark (D), Coleman, Davis, Escott, Faulk, Flowers, Goodwin, Hall, Hammett, Hettinger, Horn, Johnson (R.G.), Laird, McDowell, McKee, Mathis, Melton, Mikell, Preuitt, Rains, Rice, Richardson, Rogers, Sasser, Seibels, Spratt, Turnham, Venable and White (G).

—34

#### AMENDMENT OFFERED

Rep. Dutton offered the following amendment to the bill, S. 395:

Amend S. 395, page 1, in Section 1, line 27, after the figure “\$25,990.00 by striking \$35,000.00 and inserting in lieu thereof \$30,000.00

#### SUBSTITUTE AMENDMENT OFFERED

Rep. Holley offered the following substitute amendment to the amendment offered by Rep. Dutton to the bill, S. 395:

Amend S. B. 395, page 1, line 27 after the figure “\$25,000.00 by striking \$35,000.00 and inserting in lieu thereof the following: \$33,000.00

#### MOTION TO TABLE LOST

The motion offered by Rep. Dutton to table the substitute amendment offered by Rep. Holley, was lost.

Yeas 35; Nays 46.

*Yeas:*

Reps.: Adams, Brooks, Bryant, Butler, Carothers, Carter, Clark (D), Davis, Dutton, Faulk, Goodwin, Grayson, Hall, Hettinger, Hooper, Horn, Laird, Lindsey, McDowell, McKee, McMillan, McNair, Mathis, Melton, Mikell, Preuitt, Rains, Rice, Rogers, Seibels, Smith, Spratt, Starkey, Turnham and Venable.

—35

*Nays:*

Mr. Speaker, Bachus, Biddle, Blake, Blakeney, Boles, Box, Browder, Bugg, Burke, Campbell, Clark (J), Clark (W), Coleman, Cosby, Crow, Escott, Gaston, Gray, Hammett, Harper, Harvey, Holley, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Lauderdale, Marietta, Martin, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Poole, Pratt, Richardson, Sasser, Tanner, Turner, Warren, White (F), White (L) and Zoghby.

—46

The question was then on the adoption of the substitute amendment offered by Rep. Holley to the bill, S. 395, and the substitute amendment was adopted.

Yeas 70; Nays 15.

*Yeas:*

Mr. Speaker, Adams, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Box, Britnell, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Campbell, Carothers, Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Faulk, Gaston, Gray, Grouby, Hammett, Harper, Harvey, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Parker, Poole, Pratt, Preuitt, Richardson, Sasser, Smith, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (L) and Zoghby.

—70

*Nays:*

Reps.: Brooks, Butler, Carter, Clark (D), Dutton, Goodwin, Horn, McKee, McNair, Moore, Rains, Rice, Rogers, Seibels and Spratt.

—15

#### AMENDMENT OFFERED

Rep. Hall offered the following amendment to the bill, S. 395 as amended:

Amend S. 395, in the Synopsis, page 1, line 10, after the word “counties” by inserting the following:

, excluding Jackson County, and Madison County,

And in the Title, page 1, line 18, after the word “counties” by inserting the following:

, excluding Jackson County, and Madison County,

And in Section 1, page 1, line 23, after the word “counties” by inserting the following:

, excluding Jackson County, and Madison County,

#### AMENDMENT TABLED

On motion of Rep. Johnson (Roy), the amendment offered by Rep. Hall to the bill, S. 395 as amended, was tabled.

Yeas 48; Nays 26.

*Yeas:*

Mr. Speaker, Bachus, Biddle, Black, Blake, Blakeney, Box, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Campbell, Clark (J), Clark (W), Cosby, Crow, Gaston, Grouby, Harper, Harvey, Hettinger, Hooper, Johnson (R.G.), Johnson (Roy), Kvalheim, Laird, Lauderdale, Lindsey, McMillan, Marietta, Mitchell, Moore, Newman, Onderdonk, Parker, Poole, Pratt, Sasser, Smith, Starkey, Tanner, Thomas, Turner, Venable, Warren, White (F) and Zoghby.

—48

*Nays:*

Reps.: Adams, Beers, Boles, Brooks, Butler, Carothers, Carter, Clark (D),

Coleman, Davis, Escott, Faulk, Gray, Hall, Holley, Horn, Junkins, Mathis, Preuitt, Rains, Rice, Richardson, Rogers, Seibels, Spratt and Turnham.

—26

AMENDMENT OFFERED

Rep. Rains offered the following amendment to the bill, S. 395 as amended:

On page 1, line 38, add a new subsection (c) as follows:

(c) Dekalb County is exempted from the provisions of this act.

MOTION TO TABLE LOST

The motion offered by Rep. Johnson (Roy) to table the amendment offered Rep. Rains to the bill, S. 395 as amended, was lost.

Yeas 35; Nays 36.

*Yeas:*

Mr. Speaker, Bachus, Biddle, Blake, Blakeney, Boles, Box, Burke, Campbell, Clark (J), Cosby, Crow, Harvey, Johnson (R.G.), Johnson (Roy), Junkins, Lauderdale, Marietta, Martin, Mitchell, Moore, Newman, Onderdonk, Parker, Poole, Pratt, Richardson, Sasser, Starkey, Tanner, Turner, Warren, White (F), White (L) and Zoghby.

—35

*Nays:*

Reps.: Adams, Beers, Black, Brooks, Bryant, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (W), Davis, Dutton, Faulk, Flowers, Gaston, Grayson, Hall, Holley, Holmes, Hooper, Horn, Kvalheim, Laird, McDowell, McNair, Melton, Preuitt, Rains, Rogers, Seibels, Smith, Spratt, Thomas, Turnham and White (G).

—36

The question was then on the adoption of the amendment offered by Rep. Rains to the bill, S. 395 as amended.

MOTION TO INDEFINITELY POSTPONE AMENDMENT

Rep. Johnson (Roy) offered the motion to indefinitely postpone the amendment offered by Rep. Rains to the bill, S. 395 as amended.

SUBSTITUTE MOTION LOST

The substitute motion offered by Rep. Rains to temporarily postpone the bill, S. 395 as amended, and the pending amendment, was lost.

Yeas 41; Nays 47.

*Yeas:*

Reps.: Adams, Black, Brooks, Bryant, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (W), Davis, Dutton, Escott, Faulk, Flowers, Gaston, Goodwin, Grayson, Hall, Harper, Holmes, Hooper, Horn, Kvalheim, McDowell, McKee, McNair, Mathis, Melton, Perdue, Preuitt, Rains, Rice, Rogers, Seibels, Smith, Spratt, Thomas, Turnham and White (G).

—41

*Nays:*

Mr. Speaker, Albright, Bachus, Biddle, Blake, Blakeney, Boles, Box, Bugg, Burke, Campbell, Clark (J), Coleman, Cosby, Crow, Harvey, Hettinger, Holley, Johnson (R.G.), Johnson (Roy), Junkins, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Poole, Pratt, Richardson, Sasser, Starkey, Starr, Tanner, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—47

The question was then on the adoption of the amendment offered by Rep. Rains to the bill, S. 395 as amended.

#### AMENDMENT INDEFINITELY POSTPONED

On motion of Rep. Johnson (Roy), the amendment offered by Rep. Rains to the bill, S. 395 as amended, was indefinitely postponed.

Yeas 43; Nays 39.

*Yeas:*

Mr. Speaker, Albright, Bachus, Biddle, Blake, Blakeney, Boles, Box, Burke, Campbell, Clark (J), Coleman, Cosby, Crow, Goodwin, Harvey, Johnson (R.G.), Johnson (Roy), Junkins, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Poole, Pratt, Richardson, Sasser, Starkey, Starr, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—43

*Nays:*

Reps.: Adams, Beers, Black, Brooks, Bryant, Bugg, Butler, Carothers, Carter, Clark (D), Davis, Dutton, Escott, Faulk, Flowers, Gaston, Grayson, Hall, Holley, Hooper, Horn, Kvalheim, Laird, McDowell, McKee, McNair, Mathis, Melton, Perdue, Preuit, Rains, Rice, Rogers, Seibels, Smith, Spratt, Tanner, Turnham and White (G).

—39

#### AMENDMENT OFFERED

Rep. Rains offered the following amendment #2 to the bill, S. 395 as amended:

On page 1, line 38, add a new subsection (c) as follows:

(c) Marshall County is exempted from the provisions of this act.

#### AMENDMENT TABLED

On motion of Rep. Coleman, the amendment #2 offered by Rep. Rains to the bill, S. 395 as amended, was tabled.

Yeas 40; Nays 39.

*Yeas:*

Mr. Speaker, Bachus, Biddle, Blake, Blakeney, Boles, Box, Britnell, Bugg, Burke, Campbell, Clark (J), Coleman, Cosby, Goodwin, Grouby, Harvey, Johnson (Roy), Junkins, Lauderdale, Lindsey, McMillan, Marietta, Martin,

Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Poole, Pratt, Richardson, Sasser, Starkey, Starr, Tanner, Warren, White (F) and Zoghby.

—40

*Nays:*

Reps.: Beers, Black, Brooks, Bryant, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (W), Davis, Dutton, Escott, Faulk, Flowers, Gaston, Hall, Holley, Hooper, Horn, Kvalheim, McDowell, McKee, McNair, Mathis, Melton, Mikell, Perdue, Preuitt, Rains, Rice, Rogers, Seibels, Smith, Spratt, Thomas, Turnham and White (G).

—39

S. 395 POSTPONED

On motion of Rep. Johnson (Roy), the bill, S. 395 as amended, was postponed to the Call of the Chair.

S. 252 AGAIN TAKEN UP

And the bill, S. 252 as amended, and the pending amendment, which previously was temporarily postponed, was again taken up.

The question was again on the adoption of the amendment #2 offered by Rep. Onderdonk to the bill, S. 252 as amended.

MOTION TO POSTPONE TABLED

On motion of Rep. Carothers, the motion offered by Rep. Holley to postpone the bill, S. 252 as amended, and the pending amendment to the Call of the Chair, was tabled.

Yeas 39; Nays 33.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Blakeney, Britnell, Brooks, Bugg, Carothers, Carter, Clark (J), Cosby, Crow, Dutton, Escott, Gaston, Grouby, Hall, Harper, Hettinger, Hooper, Johnson (R.G.), Kvalheim, Lauderdale, Lindsey, McDowell, McMillan, McNair, Martin, Mathis, Mitchell, Onderdonk, Penry, Rice, Richardson, Turnham, Venable, Warren and White (L).

—39

*Nays:*

Reps.: Biddle, Black, Boles, Box, Bryant, Buskey (James), Buskey (John), Clark (D), Clark (W), Davis, Goodwin, Grayson, Holley, Horn, Johnson (Roy), Marietta, Melton, Nicholson, Parker, Perdue, Poole, Pratt, Rains, Sasser, Seibels, Smith, Spratt, Tanner, Thomas, Trammell, Turner, White (F) and White (G).

—33

MOTION TO INDEFINITELY POSTPONE LOST

The motion offered by Rep. Holley to indefinitely postpone the bill, S. 252 as amended, and the pending amendment, was lost.

Yeas 30; Nays 50.

*Yeas:*

Reps.: Beers, Biddle, Black, Boles, Brooks, Bryant, Buskey (James), Buskey (John), Clark (D), Clark (W), Davis, Gray, Grayson, Holley, Horn, Marietta, Melton, Nicholson, Perdue, Pratt, Richardson, Sasser, Seibels, Spratt, Starkey, Thomas, Trammell, Turner, White (F) and White (G).

—30

*Nays:*

Mr. Speaker, Adams, Albright, Bachus, Blake, Blakeney, Box, Britnell, Browder, Butler, Carothers, Carter, Clark (J), Coleman, Crow, Escott, Faulk, Flowers, Gaston, Grouby, Hall, Harper, Hettinger, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McMillan, McNair, Martin, Mathis, Mikell, Mitchell, Moore, Onderdonk, Parker, Penry, Preuitt, Rains, Rice, Smith, Turnham, Venable, Warren and White (L).

—50

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 231. To make annual appropriations for the support, maintenance and development of public education in Alabama and for debt service and capital improvements for the fiscal year ending September 30, 1985.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

#### MOTION TO ADJOURN LOST

The motion offered by Rep. Brooks that the House adjourn until 10:00 o'clock a.m., Monday, May 21, 1984, was lost.

Yeas 22; Nays 51.

*Yeas:*

Reps.: Adams, Beers, Black, Boles, Box, Brooks, Bryant, Buskey (James), Campbell, Hall, Harvey, Johnson (R.G.), Laird, McKee, McNair, Mathis, Rice, Rogers, Starkey, Trammell, Turnham and White (G).

—22

*Nays:*

Mr. Speaker, Bachus, Blakeney, Britnell, Bugg, Burke, Buskey (John), Carothers, Carter, Clark (D), Clark (J), Coleman, Cosby, Davis, Dutton,

Escott, Faulk, Gaston, Gray, Grouby, Harper, Holley, Horn, Johnson (Roy), Junkins, Lauderdale, Lindsey, McMillan, Marietta, Martin, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Poole, Pratt, Reed, Richardson, Spratt, Starr, Thomas, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—51

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 727. To provide for the payment of an expense allowance to members of the board of directors of any Waterworks or Sewer Board heretofore or hereafter organized pursuant to the statute now codified as Sections 11-50-230 to 241, Code of Alabama 1975.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 209. To authorize the Tuscaloosa County Board of Health to designate the services rendered by the Tuscaloosa County Health Department for which a reasonable fee may be charged. The Tuscaloosa County Board of Health is further required to set a maximum fee for each service. The Tuscaloosa County Health Department may charge and collect such fees. No citizen shall be deprived of any service because that person is unable to pay.

Also:

H. 498. Relating to Jefferson County; providing for the salary of the Assistant Tax Collector payable from the County General Fund.

Also:

H. 503. To provide a supplemental salary for the elected deputy circuit clerk serving the Bessemer Cut-Off Division of the Tenth Judicial Circuit.

Also:

H. 507. To provide a supplemental salary for the Circuit Clerk serving the Tenth Judicial Circuit.

Also:

H. 583. To amend Section 1 of Act No. 77 of the 1964 First Special Session of the Legislature of Alabama (Acts, First and Second Special Sessions of 1964, pp. 111-112) to make such act applicable to Class I cities and to provide for and fix the sum of \$1,000.00 per month as an allowance for expenses for the mayor or other chief executive officer of any such city for which he shall not be required to file an accounting; and to provide for the effective date of such increase.

Also:

H. 584. Relating to the City of Birmingham; to further amend Section 3.07(h) of Act No. 452, of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, page 1004), as amended, also known as the Mayor-Council Act of 1955 so as to provide, that the existing Council employees employed under such section, within 30 days of this bill becoming law, may withdraw from membership in any pension system for general employees of a city organized under said act, upon application for such withdrawal, and that such Council employees employed under said section shall be included in such general pension system of such city upon application for membership within 30 days of appointment.

Also:

H. 695. Relating to Jefferson County; to amend Section 2 of Act No. 681, H. 505 of the 1977 Regular Session of the Alabama Legislature, (Acts 1977, p. 1181), relating to the compensation of the executive assistant to the sheriff of Jefferson County so as to provide further for said compensation of the executive assistant; and to repeal Act No. 83-589 of the 1983 Regular Session.

Also:

H. 710. An act, to restate, confirm, and describe the boundaries and corporate limits of the City of Alabaster, Alabama.

Also:

H. 789. Relating to Jackson County, creating a Jackson County Economic Development Authority and providing for said authority's composition, terms, duties and powers.

Also:

H. 796. Relating to Clarke County; levying an additional ad valorem tax in the county to be used for school purposes and for the county general fund and providing for a referendum on such additional taxes.

Also:

H. 899. To alter, rearrange and extend the boundary lines and corporate limits of the City of Centre in Cherokee County, Alabama.

McDOWELL LEE,  
Secretary.

#### S. 252 RESUMED

The question was again on the adoption of the amendment #2 offered by Rep. Onderdonk to the bill, S. 252 as amended.

#### S. 252 TEMPORARILY POSTPONED

On motion of Rep. Carothers, the bill, S. 252 as amended, and the pending amendment were temporarily postponed.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 901. To make provision for the financing and acquisition, con-



struction, equipment and improvement from time to time of docks facilities in the state and to finance such acquisition, construction, equipment and improvement by the issuance of revenue bonds of the Alabama State Docks Department when the Department, with the approval of the governor, shall determine that the issuance of such bonds is necessary for payment of the costs of acquiring, constructing, equipping and improving docks facilities operated or to be operated by the said Department; to authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time its revenue bonds in such aggregate principal amount as said Department, with the approval of the Governor, may deem advisable for such purposes; to provide that certain bonds issued by the Industrial Development Board of the City of Mobile, Alabama, certain bonds issued by the State, and bonds at any time issued by Alabama State Docks Department or any of them, and at the time outstanding, and the interest thereon may be refunded through the issuance by the Department of refunding bonds; to provide that proceeds of the bonds issued under this Act may be used to purchase property owned by the Industrial Development Board of the City of Mobile, Alabama, and leased to Alabama State Docks Department and to prepay said Department's lease obligations to said Board; to provide that the Department shall determine the manner, terms and conditions of the sale or sales of the bonds authorized to be issued under this Act, and to make provisions respecting such sale or sales and the application of the proceeds from the sale or sales thereof; to provide for the method of execution of said bonds and other details pertaining thereto; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely out of the revenues of the Department pledged in this Act; to provide that the bonds authorized to be issued under this Act and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the State and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to provide for the defeasance of said bonds; to authorize the Department to continue to collect all charges and other fees presently imposed and collected by the Department; to pledge funds necessary to pay the principal of, premium, if any, and interest on said bonds; to authorize the Department to pledge for payment of the said principal of, premium, if any, and interest on said bonds the moneys pledged in this Act for that purpose; to preserve outstanding appropriations, pledges and covenants made by the State or the Department; to authorize the Department to covenant to maintain its charges and other fees; to authorize the establishment of a special debt service account to be held by the State Treasurer and used to pay debt service on bonds to be issued under this Act out of moneys paid into such account by the Department; to permit reserve funds for the benefit of outstanding bonds to be used by the Department to provide additions to docks facilities; to provide that if any portion of this Act is held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Rep. Turner, the House concurred in and adopted the Senate amendment to the bill, H. 901, said Senate amendment being as follows:

Amend House Bill No. 901, Page 14, line 6 by striking out "or" after the word "the" and before the word "trustees".

Yeas 55; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Bachus, Beers, Box, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Crow, Davis, Escott, Gaston, Gray, Grouby, Harper, Harvey, Horn, Johnson (R.G.), Johnson (Roy), Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, Marietta, Mathis, Melton, Mitchell, Nicholson, Onderdonk, Parker, Poole, Pratt, Rains, Rice, Richardson, Rogers, Smith, Spratt, Starkey, Turner, Venable, Warren, White (G) and Zoghby.

—55

### SPECIAL ORDER RESUMED

And the bill:

S. 372. To make an appropriation to the Louisiana, Mississippi, Alabama Rapid Rail Transit Commission.

Was read a third time at length and passed.

Yeas 63; Nays 1.

*Yeas:*

Mr. Speaker, Adams, Bachus, Beers, Black, Boles, Box, Browder, Bryant, Bugg, Buskey (James), Buskey (John), Campbell, Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Dutton, Escott, Gaston, Gray, Grayson, Grouby, Harper, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, Marietta, Mathis, Melton, Newman, Nicholson, Onderdonk, Parker, Pratt, Preuitt, Rains, Rogers, Seibels, Smith, Spratt, Starkey, Tanner, Trammell, Turner, Venable, Warren, White (F), White (G) and Zoghby.

—63

*Nay:* Rep. Brooks.

—1

And the bill:

S. 20. To permit small businesses and individuals to recover the costs of defending against a state agency when they prevail in court upon appeal.

Was read a third time at length and passed.

Yeas 71; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Bachus, Beers, Black, Blake, Box, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (W), Coleman, Crow, Davis, Dutton, Escott, Gaston, Grouby, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McKee, McMillan, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Poole, Pratt, Rains, Reed,

Richardson, Rogers, Seibels, Smith, Spratt, Starkey, Tanner, Trammell, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—71

MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Dutton, the rules were suspended in order to take up out of order the bill, S. 414.

And the bill:

S. 414. To provide for a guaranteed minimum starting wage or salary for all county law enforcement officers of this state and provide for the enforcement of the provisions of this act.

Was read a third time at length and passed.

Yeas 86; Nays 4.

*Yeas:*

Mr. Speaker, Adams, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Box, Britnell, Brooks, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Davis, Dutton, Escott, Faulk, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—86

*Nays:* Reps.: Browder, Campbell, Crow and McKee.

—4

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 364. CREATING AN INTERIM COMMITTEE TO STUDY INSURANCE LAWS.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 792. To authorize and make provision for the incorporation in the City of Opelika of the Opelika Downtown Development Authority for the purpose of promoting trade and commerce by inducing commercial enterprises to upgrade, improve, modernize, and expand existing facilities and to locate new facilities in the central business district of Opelika; to define the area of such central business district; to provide for the election and compensation of directors of any such Authority; to provide for the powers, au-

thorities and duties of such Authority, its board of directors, and its officers; to authorize such Authority to acquire by purchase, construction, exchange, gift, lease or otherwise and to refinance existing indebtedness on, improve, maintain, equip and furnish land and buildings or other improvements thereon and all real and personal properties necessary in connection therewith whether or not now existing, suitable for use by any commercial enterprise, provided that such property shall be located wholly within the Downtown Development Area herein defined; to authorize any such Authority to lease such properties to others; to authorize any such Authority to sell, exchange, donate or convey and to grant options to any lessee to acquire such properties; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities, payable solely out of the revenues and receipts derived from the leasing or sale of such properties; to provide that in certain circumstances such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues and receipts from which they are payable, by contracts binding any such Authority for the proper application of its revenues and receipts and of the proceeds of such securities, and by mortgages and deeds of trust and trust indentures on the property out of the revenues and receipts from which such securities are payable; to authorize the Authority to finance, construct, acquire, purchase, renovate, maintain, improve, sell, equip, operate or manage projects; to apply for and use government or private financial assistance; to contract to use facilities or services of the federal, state or local governments or allow them to use facilities or services of the Authority; to make loans to persons or entities for the costs of a project on such security and with such terms and conditions as the Authority deems appropriate; to provide for the employment by any such Authority of such officers, employees, contractors, consultants and agents as its business may require; to provide for the taking out by any such Authority of various types of insurance; to require payments in lieu of taxes to be made to the Authority or the City; to receive the proceeds of municipal taxes levied for the Authority's purposes; to promote revitalization of the Downtown Development Area and make plans and proposals therefor; to provide for the investment of funds of any such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to make the securities issued by any such Authority eligible investments for various governmental bodies and fiduciaries; to provide that any such Authority may, in its discretion, publish a notice of the adoption of a resolution authorizing the issuance of bonds by such Authority, and to provide that any action or proceeding questioning the validity of such bonds, or any pledge, mortgage and deed of trust or trust indenture securing the same, or the proceedings authorizing the same, must be commenced within thirty (30) days after the first publication of said notice; to exempt the income of any such Authority, and all conveyances, leases, mortgages and deeds of trust to which any such Authority is a party, from all taxation in the state except for state ad valorem taxes; to exempt every such Authority from all license and excise taxes imposed in respect of the privilege of engaging in any of the activities in which an Authority may engage, except for state sales and use taxes, and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from all laws of the State governing usury or prescribing or limiting interest rates; to ex-

empt every such Authority from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations; to exempt every such Authority from the supervision and control of state agencies, in particular the State Department of Finance; to provide for the disposition of the earnings, if any, of any such Authority; to provide for the dissolution of any such Authority and the disposition of its property; to limit to one the number of such Authorities which may exist in any municipality at any one time; to give the Authority the power of eminent domain; and to authorize political subdivisions, agencies, instrumentalities and public corporations of the state to aid the Authority with loans or grants of money, the furnishing of services or the transfer of property to the Authority without any public election; and to require the treasurer to obtain a fidelity bond equal to the amount of any public funds held by the Authority.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 42. Relating to the City of Gadsden, Etowah County; to repeal the provisions of Act No. 83-441, providing for a preferential referendum on the question of a mayor-council form of government and prescribing the time of the election, and repealing conflicting laws.

Also:

H. 91. Relating to Coosa County; providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Coosa County; repealing conflicting laws; providing for a referendum and prescribing the effective date of this act.

Also:

H. 635. Relating to Walker County; to provide for a county legislative delegation office; to require that the county commission shall provide office space, furniture, equipment, supplies, and a salary for either a secretary or office manager who shall be hired and shall serve at the pleasure of the Walker County legislative delegation.

Also:

H. 678. To provide an annual supplemental retirement benefit to the retire district and circuit judges of the 36th Judicial Circuit, payable from the county treasury of the county comprising said circuit; to provide that the circuit and district court judge holding office on the effective date of this act may elect to come under this act and that any circuit or district court judge hereafter elected or appointed to office shall come under its provisions as a matter of law; to provide that said participating judges shall contribute to the county treasury a portion of their county salary supplement in order to qualify for the benefits provided herein; to provide that said judges shall begin drawing the additional retirement benefits provided

herein at the time they qualify for and begin receiving benefits from the state judicial retirement fund; to provide that said participating judges may elect to withdraw contributions plus interest from the county treasury should their judicial service be terminated prior to becoming eligible for the benefits provided herein, or may elect to leave said contributions with the county treasury until such time as they attain a retirement age and become eligible to receive the benefits provided herein; to provide for a return of contributions, or any remaining portion thereof, to the estate of a participating judge should such judge die prior to becoming eligible for the benefits provided herein or prior to recouping all of his contributions; and to provide an effective date.

Also:

H. 753. Relating to Madison County; providing for the county governing body to reimburse the office of probate judge for any monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing such funds shall be payable from the general fund of the county.

Also:

H. 819. Relating to Calhoun County; levying an additional sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, as amended, providing for the collection, distribution and use of the proceeds of such tax; providing for the enforcement of this act by the state department of revenue; prescribing penalties and fixing punishment for violation of this act; and providing for the termination date.

Also:

H. 824. Relating to Cullman County; providing for the compensation of the sheriff, the judge of probate, the revenue commissioner, the coroner and the chairman of the county commission and providing a certain annual expense allowance for the court reporters of the thirty-second judicial circuit.

Also:

H. 849. Relating to Lauderdale County; providing further for the compensation of the members of the board of registrars.

Also:

H. 868. To alter or rearrange the boundary lines of the City of Albertville, Marshall County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Marshall County, Alabama.

Also:

H. 881. Relating to Macon County; providing for the election of the members of the county governing body by districts and requiring that each be elected by the qualified electors residing only within his district.

McDOWELL LEE,  
Secretary.

H. 356 TAKEN UP

And the bill:

S. 356. To amend Section 11-3-4.1, Code of Alabama, 1975, as amended, which relates to commissioners' minimum compensation so as to further provide for such compensation and to provide a minimum compensation for revenue commissioners and to further provide for such compensation.

Which was postponed as amended on the twenty-sixth legislative day, was taken up.

SUBSTITUTE OFFERED

Rep. Mitchell offered the following substitute to the bill, S. 356 as amended:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 11-3-4.1, Code of Alabama, 1975, as amended, which relates to commissioners' minimum compensation so as to further provide for such compensation and to provide a minimum compensation for revenue commissioners and to further provide for such compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 11-3-4.1, Code of Alabama, 1975, is hereby amended to read as follows:

"§ 11-3-4.1. (a) For the purposes of this section the following terms shall have the following meanings:

(1) County commission chairman. Those persons elected or appointed to such office by any and all lawful means but shall not include those persons who serve as chairman by virtue of their having been elected or appointed as probate judge of the county.

(2) Compensation. All salary, expense allowance or any other compensation received for serving as commissioner or chairman of the county commission but shall not include any reimbursement for mileage traveled or actual and necessary expenses incurred which are otherwise payable by law.

(3) Local law. Any and all applicable statutes that apply to any part of the state which is less than the whole and shall include statutes otherwise known as "general laws of local application" or "population bracket acts."

(b) No county commissioner shall receive compensation for serving as such officer; that is less than ~~\$9,600.00~~ 12,100.00 per year. No county commissioner serving as such officer in any county with a total population of 31,000 people or greater according to the 1980 federal decennial census shall receive compensation for serving as such officer that is less than \$14,600.00 per year. No county commission chairman shall receive compensation for serving as such officer; that is less than ~~\$13,600.00~~ \$18,600.00 per year; provided however, the provisions of this sentence which serve to increase the compensation of any county commission chairman shall not apply to such chairman in any county in which the several county commissioners alternately serve as chairman on a rotating basis pursuant to a local law.

(c) No county commissioner that is required by local law to serve full

time as county commissioner; shall receive compensation for serving as such officer; that is less than \$20,000.00 per year. No county commissioner serving as such officer in any county with a total population of 12,000 people or greater according to the 1980 federal decennial census and that is required by local law to serve full time as county commissioner shall receive compensation for serving as such officer that is less than \$25,000.00 per year. No county commission chairman that is required by local law to serve full time as county commission chairman; shall receive compensation for serving as such officer; that is less than \$25,000.00 \$35,000.00 per year.

(d) The provisions of this section shall in no way affect reduce the compensation of county commissioners or county commission chairmen whose compensation is in excess of the minimum provided herein. Nor shall such provisions in any way affect subsequent local laws or general laws which provide compensation in excess of such minimums. Nor shall such provisions apply unless approved by a resolution and signed by a majority of the county governing body. The provisions of this section shall in no way affect the compensation of probate judges. All compensation affected hereby shall be payable from the respective county's general fund or any other such fund from which such officer's compensation may now be paid by law.

(e) The provisions of this section which serve to increase any commissioner's or county commission chairman's compensation shall not take effect until the first day of the next term of office for such official; provided, however, where the county commission members' terms do not run concurrently, any increase provided under this section shall become effective as to all such members thereof immediately after the expiration of the term or terms of office of the member or members whose term or terms first expire.

~~(f) - The other provisions of this section notwithstanding, the provisions of this section which serve to increase any commissioner's or county commission chairman's compensation shall not take effect unless said county commission is complying with any local section which requires payment of any judicial supplement. -~~

(f) An up-to-date public record of all reimbursable traveling expenses paid to county commissioners from time to time shall be maintained as a public record. All automobiles leased or owned by the county and assigned to county commissioners shall be used only for conducting county business and shall bear only the special county license tag issued for use on county vehicles."

Section 2. (a) No revenue commissioner shall receive compensation for serving as such officer, that is less than \$30,000.00 per year.

(b) The term "revenue commissioner" as used in this section shall mean any county official whose office has been established pursuant to the Constitution or laws of this state and whose duties of office include those formerly performed by both the offices of tax assessor and tax collector which offices have been abolished in that county.

(c) The term "compensation" as used in this section shall mean all salary, expense allowance or any other compensation received for serving as revenue commissioner but shall not include any reimbursement for mileage traveled or actual and necessary expenses incurred which are otherwise payable by law.

(d) The provisions of this section shall in no way affect the compensation of revenue commissioners whose compensation is in excess of the minimum provided herein. Nor shall such provisions in any way affect subse-



quent local laws or general laws which provide compensation in excess of such minimum. The provisions of this section shall in no way affect the compensation of tax assessors or tax collectors. All compensation affected hereby shall be payable from the respective county's general fund or any other such fund from which such officer's compensation may now be paid by law.

Section 3. All laws or parts of laws general, local or special in conflict with the provisions of this Act are hereby repealed insofar as such conflict shall exist.

Section 4. The provisions of this Act are severable and if any provisions hereof shall be declared invalid or unconstitutional such declaration shall not affect the remaining provisions of this Act.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

#### SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 69; Nays 5.

*Yeas:*

Mr. Speaker, Adams, Biddle, Black, Blake, Blakeney, Box, Britnell, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Butler, Campbell, Clark (D), Clark (L), Clark (W), Cosby, Crow, Davis, Escott, Grayson, Grouby, Hall, Hammett, Harper, Hettinger, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Rains, Reed, Rice, Richardson, Sasser, Seibels, Smith, Spratt, Starkey, Tanner, Thomas, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—69

*Nays:* Reps.: Carothers, Carter, Coleman, Mikell and Starr.

—5

#### AMENDMENT OFFERED

Rep. Martin offered the following amendment to the bill, S. 356 as amended:

On page 1, line 20, after the word "revenue" amend by inserting the following language:

and license

Also, on page 4, in Section 2 (a), line 8, after the period, amend by inserting the following language:

No license commissioner shall receive compensation for serving as such officer, that is less than \$30,000.00 per year.

Also, on page 4, in Section 2 (c), line 17, after the word "revenue," amend by inserting the following language:

or license

Also, on page 4, in Section 2 (d), line 22, after the word "revenue", amend by inserting the following language:

or license

And the amendment was adopted.

Yeas 52; Nays 3.

*Yeas:*

Mr. Speaker, Biddle, Black, Blake, Blakeney, Boles, Box, Britnell, Brooks, Bryant, Bugg, Buskey (John), Butler, Campbell, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Escott, Hall, Hettinger, Hooper, Horn, Johnson (Roy), Junkins, Laird, Lauderdale, Lindsey, McMillan, Martin, Mitchell, Newman, Nicholson, Parker, Perdue, Poole, Pratt, Reed, Rogers, Seibels, Smith, Spratt, Starkey, Thomas, Trammell, Turner, Venable, White (L) and Zoghby.

—52

*Nays:* Reps.: Bachus, Harper and Mikell.

—3

#### AMENDMENT OFFERED

Rep. Faulk offered the following amendment to the bill, S. 356 as amended:

In Section 1, page 2, subsection (b), line 1, by striking through the word "compensation" and inserting in lieu thereof a salary

Also in Section 1, page 2, subsection (b), line 3, after the word "receive" by striking ~~compensation~~ and inserting in lieu thereof a salary

#### AMENDMENT TABLED

On motion of Rep. Mitchell, the amendment offered by Rep. Faulk to the bill, S. 356 as amended, was tabled.

Yeas 43; Nays 32.

*Yeas:*

Reps.: Adams, Biddle, Blake, Blakeney, Boles, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Campbell, Clark (J), Clark (W), Cosby, Crow, Escott, Gray, Grouby, Harvey, Hettinger, Horn, Johnson (Roy), Junkins, Laird, McDowell, Marietta, Martin, Melton, Mitchell, Moore, Nicholson, Onderdonk, Parker, Richardson, Spratt, Thomas, Trammell, Turner, Warren, White (F), White (L) and Zoghby.

—43

*Nays:*

Reps.: Bachus, Beers, Black, Box, Butler, Carothers, Carter, Clark (D), Gaston, Harper, Hooper, Johnson (R.G.), Kvalheim, Lauderdale, McKee, McMillan, Mathis, Mikell, Newman, Perdue, Poole, Pratt, Preuitt, Rains, Rice, Rogers, Seibels, Smith, Starkey, Starr, Turnham and White (G).

—32

#### S. 356 TEMPORARILY POSTPONED

On motion of Rep. Preuitt, the bill, S. 356 as amended, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 16. To require that contracts entered into by the State of Alabama must be executed in a timely manner.

Also:

S. 93. To provide for and define an additional income tax deduction for a qualified charitable contribution and for a qualified research contribution of certain personal property which is computer, scientific or technological equipment, as defined to any public educational institution, grades 1-12, 2-year and 4-year institutions of higher education, vocational and technical schools and colleges; to prescribe the conditions and calculations for such deductions; to provide that the same property does not qualify for more than one deduction; and to provide that such deductions are not applicable for individuals.

Also:

S. 115. To redefine the term "gross income" as prescribed in Title 40, Chapter 18, Article 14, Code of Alabama 1975, relating to gross income exclusions, to conform Alabama income tax exclusions to Federal income tax exclusions of employer contributions on behalf of an employee to a trust which is part of a qualified cash or deferred arrangement (as defined in 26 USCA 401(k) (2)) under which the employee has an election whether the contribution will be made to the trust or received by the employee in cash or of employer contributions for an employee for an annuity contract (as provided in 26 USCA 403 (b)); to provide the provisions of this act shall be construed in pari materia with other law or parts of laws relating to income tax exclusions except where there is a direct conflict; and to provide an effective date.

Also:

S. 126. To provide that a local board of education may at its discretion allow a sick leave bank for its employees to be established upon the request of such employees.

Also:

S. 176. To provide facilities for displaying certain exhibits in cooperation with the Tennessee Valley Authority; to create the Tennessee Valley Authority Exhibit Commission of Alabama as an agency of the State of Alabama and to provide for its membership, terms, authority and duties; to authorize the issuance of revenue bonds; to authorize the allocation and expenditure of funds; and to provide exemptions from all taxes.

Also:

S. 193. To amend Sections 25-5-13 and 25-5-50, Code of Alabama, 1975, so as to provide for certain additions and to remove certain exceptions from compulsory participation.

Also:

S. 227. To amend Sections 12-17-231 and 12-17-233, Code of Alabama 1975, relating to the Office of Prosecution Services, so as to provide that

employees of said office shall be eligible for membership in the state employees' retirement system; to authorize legislative appropriations to the office; and to further define the program of the Office of Prosecution Services.

Also:

S. 299. To provide each teacher employed by county and city boards of education and the Alabama Institute for Deaf and Blind a minimum of thirty minutes of time each day free of instructional or supervisory responsibilities and to provide funds for the employment of teacher aides.

Also:

S. 312. To provide further for venue with respect to filing petitions to modify divorce decrees relating to child custody and visitation rights.

Also:

S. 380. To allow certain foreign and domestic corporations which qualify for S corporation treatment under the Internal Revenue Code to pass the tax treatment through to shareholders as provided by the Internal Revenue Code instead of being taxed as provided by section 40-18-31, Code of Alabama 1975, on the entire net income of the corporation; and to provide for the determination of the amount of taxable income for such corporations.

Also:

S. 535. To amend Section 6-10-126, Code of Alabama 1975, that provides for exemption of certain personal property from levy of an execution or attachment so as to provide that the exemption does not apply to certain personal property pledged in a consensual security agreement.

Also:

S. 537. To amend Section 32-6-6, Code of Alabama 1975, relating to the contents of a driver's license, so as to provide for a standard sized driver's license and nondriver identification card, to levy an additional fee for the issuance of said standardized license and card and to provide for the disbursement of said money.

Also:

S. 538. To amend Chapter 17 of Title 27, Code of Alabama 1975, by adding a new section to modify the method of calculating reserves on burial insurance policies.

Also:

S. J. R. 217. CREATING AN INTERIM COMMITTEE TO REVIEW PROFESSIONAL, PRIVILEGE, BUSINESS, VOCATIONAL AND OCCUPATIONAL LICENSES AS PRESENTLY REQUIRED BY THE STATE.

Also:

S. J. R. 249. COMMENDING THE GIRLS' TRACK AND FIELD TEAM AT THE ALABAMA SCHOOL FOR THE DEAF.

McDOWELL LEE,  
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately

after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

SPECIAL ORDER RESUMED

And the bill:

S. 128. To amend Section 28-3A-25, Code of Alabama 1975, which provides for certain unlawful acts and offenses under the Alcoholic Beverage Licensing Code, so as to further define the offense of sales of alcoholic beverages to minors.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Blakeney, Box, Britnell, Brooks, Browder, Bryant, Bugg, Buskey (James), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Faulk, Gaston, Grayson, Grouby, Hall, Harper, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Lauderdale, Lindsey, McKee, McMillan, McNair, Marietta, Mathis, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Seibels, Smith, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—77

And the bill:

S. 192. To make a supplemental appropriation from the general fund in the state treasury to the office of the Secretary of State the fiscal year ending September 30, 1984.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker, Albright, Bachus, Beers, Biddle, Blakeney, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Escott, Faulk, Gaston, Gray, Grayson, Grouby, Hall, Harper, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Lauderdale, Lindsey, McDowell, McKee, McMillan, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Richardson, Rogers, Smith, Starkey, Starr, Tanner, Thomas, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—77

And the bill:

S. 257. To amend Sections 13A-12-170, 13A-12-171, 13A-12-172, 13A-12-175, 13A-12-178, 13A-12-179, Code of Alabama, 1975, relating to the sale, exhibition, etc. of pornographic materials to minors; to define and prohibit the display, distribution and exhibition of pornography to minors; to

provide for the enjoining of violations of this Act by the circuit courts; to provide for the extradition of persons charged with violations of this Act; to provide for the forfeiture of materials used in violation of this Act; to repeal Sections 13A-12-176 and 13A-12-177, Code of Alabama, 1975; and to provide severability and effective dates.

Was read a third time at length and passed.

Yeas 78; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Bachus, Beers, Biddle, Blakeney, Boles, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Escott, Faulk, Gaston, Gray, Grouby, Hall, Hammett, Harper, Hettinger, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Poole, Pratt, Preuitt, Rains, Reed, Richardson, Seibels, Smith, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—78

And the bill:

S. 460. To authorize certain surplus state owned property to be loaned to volunteer ambulance services and volunteer rescue squads; to provide for a screening procedure and the final disposition of said property; and to provide for certain criminal penalties for violating the provisions of this act.

Was read a third time at length and passed.

Yeas 82; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Bachus, Beers, Biddle, Blakeney, Boles, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Escott, Faulk, Gaston, Gray, Grayson, Grouby, Hall, Harper, Hettinger, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Seibels, Smith, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—82

And the bill:

S. 276. To amend Section 41-16-55, Code of Alabama 1975, which relates to penalties for violations of the state bid law on public contracts, so as to provide that a person who intentionally and knowingly participates in an agreement to bid at a certain price or to refrain from bidding on bids of over \$2,000, is guilty of a Class C felony and shall be punished as prescribed by law and that other violations of this section involving bids of \$2,000 or

under shall be deemed a Class A misdemeanor, and shall be punished as prescribed by law.

Was read a third time at length and passed.

Yeas 79; Nays 1.

*Yeas:*

Mr. Speaker, Albright, Beers, Biddle, Blakeney, Boles, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Butler, Carothers, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Escott, Faulk, Gaston, Gray, Grayson, Grouby, Hall, Harper, Hettinger, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Seibels, Smith, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—79

*Nay:* Rep. Bachus.

—1

And the bill:

S. 472. To amend Section 9-3-12, Code of Alabama 1975, relating to the state forestry commission steering committee, so as to provide further for an increase in committee members and their appointment.

Was read a third time at length and passed.

Yeas 73; Nays 0.

*Yeas:*

Mr. Speaker, Bachus, Beers, Blakeney, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Coleman, Cosby, Crow, Davis, Escott, Faulk, Gaston, Gray, Grouby, Harper, Harvey, Hettinger, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mitchell, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Seibels, Smith, Starkey, Starr, Tanner, Thomas, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—73

And the bill:

S. 514. To amend Section 16-3-9, Code of Alabama, 1975, which provides for a specific expense allowance for each member of the State Board of Education.

Was read a third time at length and passed.

Yeas 77; Nays 5.

*Yeas:*

Mr. Speaker, Albright, Bachus, Biddle, Blake, Blakeney, Boles, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Escott, Faulk, Gaston, Grayson, Grouby, Harper,

Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Lauderdale, Lindsey, McDowell, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Pratt, Rains, Reed, Rice, Richardson, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—77

*Nays:* Reps.: Adams, Hall, Laird, McKee and Seibels.

—95

And the bill:

S. 513. To make a supplemental appropriation to the National Conference of State Legislatures for membership dues.

Was read a third time at length and passed.

Yeas 79; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Biddle, Black, Blake, Blakeney, Boles, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Escott, Faulk, Gaston, Grayson, Grouby, Hall, Harper, Harvey, Hettinger, Holley, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Seibels, Smith, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—79

And the bill:

S. 351. To exempt the National Conference of State Legislatures and the Council of State Governments from the payment of all state, county and municipal sales and use taxes.

Was read a third time at length and passed.

Yeas 83; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Biddle, Black, Blake, Blakeney, Boles, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Escott, Faulk, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Seibels, Smith, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (L) and Zoghby.

—83



And the bill:

S. 285. To amend Section 36-17-3 of the Code of Alabama 1975, relating to the duties and functions of the state treasurer.

Was read a third time at length and passed.

Yeas 80; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Blake, Blakeney, Boles, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Butler, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Faulk, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Johnson (R.G.), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Preuitt, Rains, Rice, Richardson, Rogers, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—80

And the bill:

S. 287. To amend Section 36-17-16 of the Code of Alabama 1975 so as to further provide for the destruction of cancelled state warrants.

Was read a third time at length and passed.

Yeas 85; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Box, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Cosby, Crow, Davis, Escott, Faulk, Gaston, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Preuitt, Rains, Rice, Richardson, Rogers, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—85

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Resolution:

S. J. R. 72. CREATING THE LIMESTONE COUNTY EDUCATIONAL TASK FORCE.

McDOWELL LEE,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 76. To promote the maintenance of Tuscaloosa County's natural beauty by eliminating unsightly and unhealthy litter; to provide for the dissemination in Tuscaloosa County of information pertaining to laws relative to littering and penalties therefore; to provide that certain identifiable litter constitutes prima facie evidence of littering by the person with whom it can be identified; to grant authority to the Tuscaloosa County Commission or other like governing body to establish and appoint, for the enforcement of littering laws in Tuscaloosa County, an agency and person empowered with the authority of peace officers as defined by state law for the primary purpose of enforcing littering laws and other laws relating to littering in Tuscaloosa County; to grant authority to the Tuscaloosa County, and to provide for a means to plea to the public to heed such laws and to help eliminate littering such county.

Also:

H. 490. Relating to Barbour County: Fixing the fee for an issuance of a pistol permit by the Sheriff and providing for the disposition and use of the proceeds therefrom; and repealing all laws or parts of laws in conflict with the provisions of this act.

Also:

H. 491. Relating to procedures for selling and redeeming lands for taxes in Lauderdale County, Alabama.

Also:

H. 496. To provide for a special recording fee of \$1.00, in addition to all existing recording fees and charges, for each such document hereafter filed for record in Lawrence County and to provide for the use of such fees.

Also:

H. 511. To alter Blount County Commission Districts One and Two by transferring Beat 39 from District One to District Two.

Also:

H. 541. Relating to Crenshaw County; providing for a discretionary expense allowance for members of the board of registrars, so as to make said expense allowance mandatory.

Also:

H. 658. Relating to Blount County; to repeal Act No. 214, H. 635, Regular Session 1976 (Acts 176, p. 229), entitled "To permit hunting of deer with dogs in all counties having a population of not less than 26,725 nor more than 27,250 according to the most recent or any subsequent federal decennial census."

Also:

H. 756. To amend the Civil Service Act (Local Act No. 470, Approved September 15, 1939, Local Acts of Alabama, Page 298) so as to provide that the employees of the Utilities Board of the Town of Citronelle may voluntarily withdraw themselves and the Utilities Board from the county-wide civil

service system of Mobile County, Alabama, and to provide for an election and the procedure for the election to determine whether the Utilities Board shall be subject to the county-wide civil service system of Mobile County, Alabama and to provide the employees the authority and procedure to vote in subsequent elections on the same issues.

Also:

H. 809. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Fairhope in Baldwin County.

Also:

H. 830. Relating to Henry County, Alabama; providing for the amendment of Section 3 of Act No. 83-559 of the regular session of the 1983 legislature of the State of Alabama, providing for the compensation of the Clerks in the office of the County Revenue Commissioner.

Also:

H. 852. Relating to county health officers or administrators in Chambers County; authorizing such persons to issue official death certificates; and providing penalties for violation of this act.

MCDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 488. To authorize the Barbour County Commission to compensate a Clerk in the Sheriff's Office.

Also:

H. 489. Relating to Barbour County: To provide that the Sheriff shall be entitled to the allowance payable by the State for feeding prisoners.

Also:

H. 730. Relating to Madison County; providing for a uniform and clothing allowance for deputies and other members of the Sheriff's force and repealing Act Number 920 of the 1973 Alabama Legislature.

Also:

H. 731. Relating to Madison County; authorizing the Sheriff to charge a fee for fingerprinting certain persons and providing for the distribution and auditing of such fees and repealing Act Number 82-375 of the 1982 Alabama Legislature.

Also:

H. 790. Relating to Jackson County; to amend Act 79-473, S. 639, Regular Session 1979, as amended (Acts 1979, p. 873), so as to allocate a portion of T.V.A. payments made to Jackson County to the Jackson County Economic Development Authority and to remove the provision regarding unused money allocated to the legislative delegation office.

Also:

H. 946. To amend Article III of Act 404, S. 430, Regular Session 1953

(Acts of Alabama 1953, p. 472), as amended, so as to further provide for the election of the Council of the City of Anniston.

McDOWELL LEE,  
Secretary.

### SPECIAL ORDER RESUMED

And the bill:

S. 546. To amend Section 36-26-17, Code of Alabama 1975, which relates to state employees' merit system and the method of filling vacancies, so as to exempt the Revenue Department from certain provisions.

Was taken up.

### CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Secretary of State at 3:15 P.M. on May 10, 1984.

H. 902 (C. A.)

Delivered to the Governor at 3:20 P.M. on May 10, 1984.

H. 46

H. 54

H. 119

H. 294

H. 332

H. 362

H. 404

H. 434

H. 588

H. 597

H. 623

H. 662

H. 671

H. 696

H. 715

H. 743

H. 757

H. 770

H. 782

H. 798

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H. 803

H. 814

H. 831

H. 866

H. 925

H. 897

Delivered to the Governor at 5:55 P.M. on May 10, 1984.

H. 309

H. 483

H. 669

H. J. R. 67

H. J. R. 81

H. J. R. 133

H. J. R. 145

H. J. R. 164

H. J. R. 184

H. J. R. 195

H. J. R. 215

H. J. R. 264

H. J. R. 271

H. J. R. 273

H. J. R. 277

H. J. R. 279

H. J. R. 290

H. J. R. 291

H. J. R. 292

H. J. R. 293

H. J. R. 294

H. J. R. 296

H. J. R. 297

H. J. R. 299

H. J. R. 300

H. J. R. 301

H. J. R. 310

H. J. R. 312

H. J. R. 313

H. J. R. 316

H. J. R. 320

H. J. R. 321

H. J. R. 323

Delivered to the Governor at 8:45 P.M. on May 10, 1984.

H. 215. Executive Amendment

Delivered to the Governor at 9:50 P.M. on May 10, 1984.

H. 231

JOHN W. PEMBERTON,  
Clerk.

### ADJOURNMENT

On motion of Rep. Mathis and pursuant to the resolution, H. R. 385, heretofore adopted, the House adjourned until 10:00 o'clock a.m., Monday, May 21, 1984.

### THIRTIETH DAY

House of Representatives  
Montgomery, Alabama  
Monday, May 21, 1984

The House met pursuant to adjournment.

### PRAYER

The session was opened with prayer by Reverend Al Perkins, Curate, St. John's Episcopal Church, Montgomery, Alabama.

### ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey, (James), Buskey, (John), Butler, Campbell, Carothers, Carter, Clark, (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, icholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L), and Zoghby.

—103

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-ninth legislative day and finds the same to be correct.

JIMMY CLARK,  
Chairman.

On motion of Rep. Clark, J., the reading at length of the Journal of the House for the twenty-ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-ninth legislative day was approved.

LEAVE OF ABSENCE

Leave of absence was granted for Rep. Smith due to a death in the family.

RESOLUTIONS

The following resolutions were introduced:

By Rep. Johnson (Roy):

H. J. R. 390. BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That when we adjourn today, May 21, 1984, we adjourn sine die.

On motion of Rep. Johnson (Roy), the rules were suspended and the resolution, H. J. R. 390, was adopted.

Also:

By Rep. Johnson (Roy):

H. R. 391. BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, That today, May 21, 1984, we recess for two (2) hours beginning at 5:00 p.m. and ending at 7:00 p.m.

On motion of Rep. Johnson (Roy), the rules were suspended and the resolution, H. R. 391, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 714. Relating to Lamar County; to amend Section 1 of Act No. 82-511, H. 796, of the 1982 Regular Session so as to provide that twenty-five percent of all funds accruing to Lamar County from the oil and gas privilege tax pursuant to Sections 40-20-1 through 40-20-13 of the Code of Alabama 1975, shall be transferred to the county board of education; and to provide that the funds so transferred shall be spent by the county board of education for capital improvement or for the purchase of school buses.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

On motion of Rep. Newman, the House concurred in and adopted the Senate amendment to the bill, H. 714, said Senate amendment being as follows:

Amend House Bill 714 on page 1, line 19 after the word "improvement" by deleting the remainder of line 19 and 20.

Further amend House Bill 714 on page 3, Section 1, line 10 after the word "facilities," by deleting the following words:

"or for the purchase of new school buses"

Yeas 41; Nays 0.

Yeas:

Reps.: Blake, Bowling, Britnell, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Crown, Ford, Fuller, Goodwin, Hammett, Harvey, Hettinger, Hooper, Johnson (Roy), Junkins, Lauderdale, McDowell, McMillan, Marietta, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Richardson, Spratt, Starkey, Venable and White (L).

—41

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 750. Relating to Limestone County; authorizing the Limestone County Board of Health to annually fix a schedule of fees for services rendered pursuant to the duties with which the board is charged; to provide for the annual examination and approval of such fee schedules by the county commission; to authorize the exemption of certain persons from paying said fees; to authorize the county board of health to promulgate rules and regulations proper for the administration of this act.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

On motion of Rep. Carter, the House concurred in and adopted the Senate amendment to the bill, H. 750, said Senate amendment being as follows:

Amend House Bill 750 on page 1, Section 2, line 34 by inserting the following words after the word "the":

"furnishing of services without charge to documented indigent"

Yeas 41; Nays 0.



*Yeas:*

Mr. Speaker, Biddle, Bowling, Box, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Campbell, Carter, Clark (D), Clark (J), Clark (W), Crow, Faulk, Gaston, Goodwin, Gray, Hammett, Harvey, Hettinger, Hooper, Kvalheim, Lauderdale, McDowell, McMillan, Marietta, Mitchell, Moore, Nicholson, Parker, Penry, Richardson, Spratt, Starkey, Starr, Thomas, Venable and White (L).

—41

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 674. Relating to Jackson County; providing for an appropriation for the relief of Mr. Willie Dean Mount and providing for a retroactive effect.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Rep. Richardson, the House concurred in and adopted the Senate amendment to the bill, H. 674, said Senate amendment being as follows:

Amend House Bill 674, page 1, line 16 after the word "of" by striking out "\$1,270.00" and inserting in lieu thereof the following:

"\$1,379.95"

Yeas 35; Nays 0.

*Yeas:*

Mr. Speaker, Biddle, Bowling, Box, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Clark (D), Clark (J), Clark (W), Crow, Gaston, Hall, Harper, Harvey, Hettinger, Hooper, Junkins, Kennedy, Lauderdale, McDowell, McKee, Marietta, Mitchell, Moore, Nicholson, Richardson, Spratt, Starkey, Venable, White (L) and Zoghby.

—35

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 351. To make appropriations for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1985.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

On motion of Rep. White (L), the House concurred in and adopted the Senate amendment to the bill, H. 351, said Senate amendment being as follows:

Amend H. B. 351 on page 1, lines 19 and 20, by striking out the words and figures "One Hundred Twenty Five Thousand Dollars (\$125,000.00)" and insert in lieu thereof the following: "One Hundred Seventy Five Thousand Dollars (\$175,000.00)".

Yeas 74; Nays 0.

Yeas:

Mr. Speaker, Albright, Beers, Biddle, Black, Blake, Bowling, Box, Brakefield, Brooks, Browder, Burke, Buskey (James), Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Crow, Davis, Escott, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Hammett, Harper, Harvey, Holley, Hooper, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McMillan, McNair, Marietta, Martin, Mathis, Mikell, Moore, Newman, Nicholson, Onderdonk, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Spratt, Starkey, Thomas, Turner, Turnham, Venable, White (G), White (L) and Zoghby.

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## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 360. To make appropriations for the support and maintenance of the Tuskegee Institute for the fiscal year ending September 30, 1985.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

On motion of Rep. Holley, the House concurred in and adopted the Senate amendment to the bill, H. 360, said Senate amendment being as follows:

Amend H. B. 360 on page 1, line 19, by striking out "One Million Four Hundred Sixty Thousand Dollars (\$1,460,000) after the words "sum of" and insert in lieu thereof the following: "One Million Five Hundred Ten Thousand Dollars (\$1,510,000)".

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Yeas 73; Nays 0.

Yeas:

Mr. Speaker, Albright, Beers, Biddle, Black, Blake, Box, Brakefield, Brooks, Browder, Bugg, Burke, Buskey (James), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Crow, Davis, Escott, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Hall, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McDowell, McMillan, McNair, Marietta, Martin, Melton, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Rains, Reed, Rice, Richardson, Rogers, Spratt, Starkey, Thomas, Turner, Venable, Warren, White (G), White (L) and Zoghby.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 450. To make appropriations for the support and maintenance of the Marion Military Institute for the fiscal year ending September 30, 1985.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

The motion offered by Rep. Holley that the House concur in and adopt the Senate amendment to the bill, H. 450, was lost, lacking a two-thirds vote of all members elected to the House, said Senate amendment being as follows:

Amend H. B. 450 on page 1, lines 19 and 20, by striking out the words and figures, "Three Hundred Twenty Five Thousand Dollars (\$325,000.00)" and insert in lieu thereof the following: "Three Hundred Seventy Five Thousand Dollars (\$375,000.00)".

Yeas 63; Nays 1.

Yeas:

Mr. Speaker, Albright, Biddle, Black, Box, Brakefield, Brooks, Browder, Burke, Buskey (James), Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Crow, Davis, Escott, Fuller, Gaston, Goodwin, Hammett, Harper, Harvey, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McDowell, McMillan, McNair, Marietta, Melton, Mikell, Moore, Newman, Nicholson, Onderdonk, Penry, Perdue, Poole, Pratt, Rains, Reed, Rice, Richardson, Rogers, Spratt, Starkey, Thomas, Trammell, Turner, Warren, White (L) and Zoghby.

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Nay: Rep. Holley.

—1

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side by which the Senate amendment to the bill, H. 450, was lost, Rep. Holley offered the motion to reconsider the vote, and the motion to reconsider was adopted.

## H. 450 TEMPORARILY POSTPONED

On motion of Rep. Holley, further consideration of the bill, H. 450, and the Senate amendment was temporarily postponed.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 542. To make an appropriation of certain Trust Income from the Alabama Heritage Trust Income Account to Tuskegee Institute for capital outlay for the fiscal year ending September 30, 1984.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

On motion of Rep. Reed, the House concurred in and adopted the Senate amendment to the bill, H. 542, said Senate amendment being as follows:

Amend the Substitute to House Bill 542 on page 1 on lines 10, 18 and 23 by inserting after the words "capital outlay" the words:

"for the General Daniel 'Chappie' James Center for Aerospace Science and Health Education"

A BILL  
TO BE ENTITLED  
AN ACT

To make an appropriation from the Alabama Special Educational Trust Fund to Tuskegee Institute for capital outlay for the fiscal year ending September 30, 1984.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated from the Alabama Special Educational Fund to Tuskegee Institute for capital outlay, the sum of \$3,245,000 for the fiscal year 1983-84.

Section 2. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker, Albright, Bachus, Blake, Blakeney, Box, Brooks, Buskey (James), Clark (D), Clark (J), Clark (W), Coburn, Crow, Davis, Escott, Faulk, Fuller, Goodwin, Grayson, Harper, Holley, Hooper, Horn, Johnson (Roy), Junkins, Kennedy, Laird, McDowell, McMillan, McNair, Melton, Moore, Newman, Nicholson, Onderdonk, Penry, Perdue, Poole, Pratt, Preuitt, Reed, Rice, Richardson, Rogers, Spratt, Thomas, Trammell, Turner, Venable, Warren, White (L) and Zoghby.

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

REPORT OF THE STANDING COMMITTEE ON RULES  
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 901. To make provision for the financing and acquisition, construction, equipment and improvement from time to time of docks facilities in the state and to finance such acquisition, construction, equipment and improvement by the issuance of revenue bonds of the Alabama State Docks Department when the Department, with the approval of the Governor, shall determine that the issuance of such bonds is necessary for payment of the costs of acquiring, constructing, equipping and improving docks facilities operated or to be operated by the said Department; to authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time its revenue bonds in such aggregate principal amount as said Department, with the approval of the Governor, may deem advisable for such purposes; to provide that certain bonds issued by the Industrial Development Board of the City of Mobile, Alabama, certain bonds issued by the State, and bonds at any time issued by Alabama State Docks Department or any of them, and at the time outstanding, and the interest thereon may be refunded through the issuance by the Department of refunding bonds; to provide that proceeds of the bonds issued under this Act may be used to purchase property owned by the Industrial Development Board of the City of Mobile, Alabama, and leased to Alabama State Docks Department and to prepay said Department's lease obligations to said Board; to provide that the Department shall determine the manner, terms and conditions of the sale or sales of the bonds authorized to be issued under this Act, and to make provisions respecting such sale or sales and the application of the proceeds from the sale or sales thereof; to provide for the method of execution of said bonds and other details pertaining thereto; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely out of the revenues of the Department pledged in this Act; to provide that the bonds authorized to be issued under this Act and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the State and its instrumentalities and agencies and shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to provide for the defeasance of said bonds; to authorize the Department to continue to collect all charges and other fees presently imposed and collected by the Department; to pledge funds necessary to pay the principal of, premium, if any, and interest on said bonds; to authorize the Department to pledge for payment of the said principal of, premium, if any, and interest on said bonds the moneys pledged in this Act for that purpose; to preserve outstanding appropriations, pledges and covenants made by the State or the Department; to authorize the Department to covenant to maintain its charges and other fees; to authorize the establishment of a special debt service account to be held by the State Treasurer and used to pay debt service on bonds to be issued under this Act out of

moneys paid into such account by the Department; to permit reserve funds for the benefit of outstanding bonds to be used by the Department to provide additions to docks facilities; to provide that if any portion of this Act is held invalid such holding shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF THE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 792. To authorize and make provision for the incorporation in the City of Opelika of the Opelika Downtown Development Authority for the purpose of promoting trade and commerce by inducing commercial enterprises to upgrade, improve, modernize, and expand existing facilities and to locate new facilities in the central business district of Opelika; to define the area of such central business district; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of such Authority, its board of directors, and its officers; to authorize such Authority to acquire by purchase, construction, exchange, gift, lease or otherwise and to refinance existing indebtedness on, improve, maintain, equip and furnish land and buildings or other improvements thereon and all real and personal properties necessary in connection therewith whether or not now existing, suitable for use by any commercial enterprise, provided that such property shall be located wholly within the Downtown Development Area herein defined; to authorize any such Authority to lease such properties to others; to authorize any such Authority to sell, exchange, donate or convey and to grant options to any lessee to acquire such properties; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing securities, payable solely out of the revenues and receipts derived from the leasing or sale of such properties; to provide that in certain circumstances such securities shall constitute negotiable instruments; to provide that such securities may be secured by a pledge of the revenues and receipts from which they are payable, by contracts binding any such Authority for the proper application of its revenues and receipts and of the proceeds of such securities, and by mortgages and deeds of trust and trust indentures on the property out of the revenues and receipts from which such securities are payable; to authorize the Authority to finance, construct, acquire, purchase, renovate, maintain, improve, sell, equip, operate or manage projects; to apply for and use government or private financial assistance; to contract to use facilities or services of the federal, state or local governments or allow them to use facilities or services of the Authority; to make loans to persons or entities for the costs of a project on such security and

with such terms and conditions as the Authority deems appropriate; to provide for the employment by any such Authority of such officers, employees, contractors, consultants and agents as its business may require; to provide for the taking out by any such Authority of various types of insurance; to require payments in lieu of taxes to be made to the Authority or the City; to receive the proceeds of municipal taxes levied for the Authority's purposes; to promote revitalization of the Downtown Development Area and make plans and proposals therefor; to provide for the investment of funds of any such Authority; to provide for the use of the proceeds of any such securities issued by any such Authority; to provide for the refunding, by the issuance of such securities of any such Authority, of securities theretofore issued by it; to provide that such securities issued and contracts entered into by any such Authority pursuant to this act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to make the securities issued by any such Authority eligible investments for various governmental bodies and fiduciaries; to provide that any such Authority may, in its discretion, publish a notice of the adoption of a resolution authorizing the issuance of bonds by such Authority, and to provide that any action or proceeding questioning the validity of such bonds, or any pledge, mortgage and deed of trust or trust indenture securing the same, or the proceedings authorizing the same, must be commenced within thirty (30) days after the first publication of said notice; to exempt the income of any such Authority, and all conveyances, leases, mortgages and deeds of trust to which any such Authority is a party, from all taxation in the state except for state ad valorem taxes; to exempt every such Authority from all license and excise taxes imposed in respect of the privilege of engaging in any of the activities in which an Authority may engage, except for state sales and use taxes, and to exempt such Authority from payment of certain charges to Judges of Probate; to exempt every such Authority from all laws of the State governing usury or prescribing or limiting interest rates; to exempt every such Authority from all laws of the state requiring competitive bids for contracts to be entered into by municipalities or public corporations to exempt every such Authority from the supervision and control of state agencies, in particular the State Department of Finance; to provide for the disposition of the earnings, if any, of any such Authority; to provide for the dissolution of any such Authority and the disposition of its property; to limit to one the number of such Authorities which may exist in any municipality at any one time; to give the Authority the power of eminent domain; and to authorize political subdivisions, agencies, instrumentalities and public corporations of the state to aid the Authority with loans or grants of money, the furnishing of services or the transfer of property to the Authority without any public election; and to require the treasurer to obtain a fidelity bond equal to the amount of any public funds held by the Authority.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF THE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES  
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to wit:

H. 830. Relating to Henry County, Alabama; providing for the amendment of Section 3 of Act No. 83-559 of the regular session of the 1983 legislature of the State of Alabama, providing for the compensation of the Clerks in the office of the County Revenue Commissioner.

Also:

H. 852. Relating to county health officers or administrators in Chambers County; authorizing such persons to issue official death certificates; and providing penalties for violation of this act.

Also:

H. 946. To amend Article III of Act 404, S. 430, Regular Session 1953 (Acts of Alabama 1953, p. 472), as amended, so as to further provide for the election of the Council of the City of Anniston.

Also:

H. J. R. 364. CREATING AN INTERIM COMMITTEE TO STUDY INSURANCE LAWS.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

## SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles of which are set out in the above and foregoing Report of the Standing Committee on Rules.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 595. Relating to exemptions from the payment of state, county and municipal ad valorem taxes, so as to exempt the Presbyterian Apartments of Birmingham, Inc., the Presbyterian Homes of Decatur, Inc., the Shoals Presbyterian Apartments, Inc., the Presbyterian Apartments in Northport, Alabama, and the East Alabama Services for the Elderly, Inc., a nonprofit corporation in Lee County, Alabama, or any predecessor organization or entity, from the payment of such state, county and municipal taxes.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

On motion of Rep. Starkey, the House concurred in and adopted the



Senate amendment to the bill, H. 595, said Senate amendment being as follows:

Amend H. B. 595, the title, Page one, line 21 by adding after the word "Alabama", the following: the Mayfair Towers Corporation in Huntsville, Alabama

Also, on page 1, Section 1, line 28, after the word "Alabama", amend by inserting the following:

the Mayfair Towers Corporation in Huntsville, Alabama

Yeas 57; Nay 1.

*Yeas:*

Mr. Speaker, Blakeney, Box, Brakefield, Brooks, Browder, Buskey (James), Butler, Campbell, Clark (D), Clark (J), Clark (W), Crow, Davis, Escott, Faulk, Ford, Fuller, Gaston, Goodwin, Grayson, Hall, Harper, Harvey, Hooper, Horn, Junkins, Kennedy, Kvalheim, Laird, Lauderdale, McMillan, McNair, Martin, Moore, Newman, Nicholson, Parker, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Rice, Richardson, Rogers, Spratt, Starkey, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (L) and Zoghby.

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*Nay:* Rep. Holley.

—1

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the Bill:

S. B. 86. To provide for court ordered continuing income withholding by employers as a means of child support enforcement; to provide that such order shall be included as a part of any original judgment or decree for the payment of child support; to provide that such order may be entered after notice and a hearing as a post judgment remedy for the enforcement of delinquent child support amounts in addition to enforcing continuing, prospective child support obligations; to provide for the content of orders entered pursuant to this Act; to provide that income withholding orders shall be binding upon present and successive employers; to provide for the service of orders entered pursuant to this Act upon the employer; to provide for the modification or termination of income withholding orders; to provide for the collection of certain fees for the filing of a petition for an income withholding order and for the collection of certain service fees; to provide that an income withholding order for child support shall take precedence over any other notice of garnishment; to provide that no employer may discharge or refuse to hire a person who is the subject of an income withholding order; to provide that any employer who refuses to comply with the order may be deemed to be in contempt of court; and further to specifically repeal Sections 6-6-490 through 6-6-493, Code of Alabama 1975, relating to garnishments to enforce child support.

said Conference Report being in words and figures as follows:

## REPORT OF COMMITTEE ON CONFERENCE

## Senate Bill 86

We, the Committee on Conference, appointed to reconcile the differences between the two houses concerning Senate Bill 86 have met in conference and have agreed to the following:

Amend Senate Bill 86 on Page 8, Line 26, Section 12, after the word "income" by deleting "a one time fee of up to five dollars (\$5.00)" and inserting in lieu thereof the following: a fee of up to two dollars (\$2.00) per month

STEVE COOLEY,

GARY L. ALDRIDGE,

MAC PARSONS,

Senate Conferees.

JAMES M. CAMPBELL,

HUGH BATES,

ROBERT E. ALBRIGHT,

House Conferees.

And said Bill, S. B. 86, together with the Report of the Committee on Conference, is herewith sent to the House for its consideration.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

On motion of Rep. Campbell, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 86, said Report being set out in the above and foregoing Message from the Senate.

Yeas 65; Nays 4.

*Yeas:*

Mr. Speaker, Albright, Beers, Blake, Blakeney, Box, Brakefield, Brooks, Browder, Bugg, Buskey (James), Butler, Campbell, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Crow, Davis, Escott, Faulk, Fuller, Gaston, Goodwin, Hall, Hammett, Harvey, Hooper, Horn, Johnson (R.G.), Junkins, Kennedy, Kvalheim, Lauderdale, McDowell, McMillan, Marietta, Martin, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Richardson, Rogers, Sasser, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

—65

*Nays:* Reps: Ford, Gray, Holley and Laird.

—4

REPORT OF THE STANDING COMMITTEE ON RULES  
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 76. To promote the maintenance of Tuscaloosa County's natural beauty by eliminating unsightly and unhealthy litter; to provide for the dissemination in Tuscaloosa County of information pertaining to laws relative to littering and penalties therefore; to provide that certain identifiable litter constitutes prima facie evidence of littering by the person with whom it can be identified; to grant authority to the Tuscaloosa County Commission or other like governing body to establish and appoint, for the enforcement of littering laws in Tuscaloosa County, an agency and person empowered with the authority of peace officers as defined by state law for the primary purpose of enforcing littering laws and other laws relating to littering in Tuscaloosa County; to grant authority to the Tuscaloosa County, and to provide for a means to plea to the public to heed such laws and to help eliminate littering such county.

Also:

H. 488. To authorize the Barbour County Commission to compensate a Clerk in the Sheriff's Office.

Also:

H. 489. Relating to Barbour County: To provide that the Sheriff shall be entitled to the allowance payable by the State for feeding prisoners.

Also:

H. 490. Relating to Barbour County: Fixing the fee for an issuance of a pistol permit by the Sheriff and providing for the disposition and use of the proceeds therefrom; and repealing all laws or parts of laws in conflict with the provisions of this act.

Also:

H. 491. Relating to procedures for selling and redeeming lands for taxes in Lauderdale County, Alabama.

Also:

H. 496. To provide for a special recording fee of \$1.00, in addition to all existing recording fees and charges, for each such document hereafter filed for record in Lawrence County and to provide for the use of such fees.

Also:

H. 511. To alter Blount County Commission Districts One and Two by transferring Beat 39 from District One to District Two.

Also:

H. 541. Relating to Crenshaw County; providing for a discretionary expense allowance for members of the board of registrars, so as to make said expense allowance mandatory.

Also:

H. 658. Relating to Blount County; to repeal Act No. 214, H. 635, Regular Session 1976 (Acts 1976, p. 229), entitled "To permit hunting of

deer with dogs in all counties having a population of not less than 26,725 nor more than 27,250 according to the most recent or any subsequent federal decennial census."

Also:

H. 730. Relating to Madison County; providing for a uniform and clothing allowance for deputies and other members of the Sheriff's force and repealing Act Number 920 of the 1973 Alabama Legislature.

Also:

H. 731. Relating to Madison County; authorizing the Sheriff to charge a fee for fingerprinting certain persons and providing for the distribution and auditing of such fees and repealing Act Number 82-375 of the 1982 Alabama Legislature.

Also:

H. 756. To amend the Civil Service Act (Local Act No. 470, Approved September 15, 1939, Local Acts of Alabama, Page 298) so as to provide that the employees of the Utilities Board of the Town of Citronelle may voluntarily withdraw themselves and the Utilities Board from the county-wide civil service system of Mobile County, Alabama, and to provide for an election and the procedure for the election to determine whether the Utilities Board shall be subject to the county-wide civil service system of Mobile County, Alabama and to provide the employees the authority and procedure to vote in subsequent elections on the same issues.

Also:

H. 790. Relating to Jackson County; to amend Act 79-473, S. 639, Regular Session 1979, as amended (Acts 1979, p. 873), so as to allocate a portion of T.V.A. payments made to Jackson County to the Jackson County Economic Development Authority and to remove the provision regarding unused money allocated to the legislative delegation office.

Also:

H. 809. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Fairhope in Baldwin County.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 42. Relating to the City of Gadsden, Etowah County; to repeal the

provisions of Act No. 83-441, providing for a preferential referendum on the question of a mayor-council form of government and prescribing the time of the election, and repealing conflicting laws.

Also:

H. 91. Relating to Coosa County; providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor and tax collector in Coosa County; repealing conflicting laws; providing for a referendum and prescribing the effective date of this act.

Also:

H. 635. Relating to Walker County; to provide for a county legislative delegation office; to require that the county commission shall provide office space, furniture, equipment, supplies, and a salary for either a secretary or office manager who shall be hired and shall serve at the pleasure of the Walker County legislative delegation.

Also:

H. 678. To provide an annual supplemental retirement benefit to the retired district and circuit judges of the 36th Judicial Circuit, payable from the county treasury of the county comprising said circuit; to provide that the circuit and district court judge holding office on the effective date of this act may elect to come under this act and that any circuit or district court judge hereafter elected or appointed to office shall come under its provisions as a matter of law; to provide that said participating judges shall contribute to the county treasury a portion of their county salary supplement in order to qualify for the benefits provided herein; to provide that said judges shall begin drawing the additional retirement benefits provided herein at the time they qualify for and begin receiving benefits from the state judicial retirement fund; to provide that said participating judges may elect to withdraw contributions plus interest from the county treasury should their judicial service be terminated prior to becoming eligible for the benefits provided herein, or may elect to leave said contributions with the county treasury until such time as they attain a retirement age and become eligible to receive the benefits provided herein; to provide for a return of contributions, or any remaining portion thereof, to the estate of a participating judge should such judge die prior to becoming eligible for the benefits provided herein or prior to recouping all of his contributions; and to provide an effective date.

Also:

H. 753. Relating to Madison County; providing for the county governing body to reimburse the office of probate judge for any monetary loss resulting from the performance of official duties for errors or mistakes made in good faith, not to exceed a certain maximum per annum; and providing such funds shall be payable from the general fund of the county.

Also:

H. 819. Relating to Calhoun County; levying an additional sales tax paralleling the state sales tax provided for in Sections 40-23-1, 40-23-2, 40-23-3 and 40-23-4, Code of Alabama 1975, as amended, providing for the collection, distribution and use of the proceeds of such tax; providing for the

enforcement of this act by the state department of revenue; prescribing penalties and fixing punishment for violation of this act; and providing for the termination date.

Also:

H. 824. Relating to Cullman County; providing for the compensation of the sheriff, the judge of probate, the revenue commissioner, the coroner and the chairman of the county commission and providing a certain annual expense allowance for the court reporters of the thirty-second judicial circuit.

Also:

H. 849. Relating to Lauderdale County; providing further for the compensation of the members of the board of registrars.

Also:

H. 868. To alter or rearrange the boundary lines of the City of Albertville, Marshall County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Marshall County, Alabama.

Also:

H. 881. Relating to Macon County; providing for the election of the members of the county governing body by districts and requiring that each be elected by the qualified electors residing only within his district.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 209. To authorize the Tuscaloosa County Board of Health to designate the services rendered by the Tuscaloosa County Health Department for which a reasonable fee may be charged. The Tuscaloosa County Board of Health is further required to set a maximum fee for each service. The Tuscaloosa County Health Department may charge and collect such fees. No citizen shall be deprived of any service because that person is unable to pay.

Also:

H. 498. Relating to Jefferson County; providing for the salary of the Assistant Tax Collector payable from the County General Fund.

Also:

H. 503. To provide a supplemental salary for the elected deputy circuit clerk serving the Bessemer Cut-Off Division of the Tenth Judicial Circuit.

Also:

H. 507. To provide a supplemental salary for the Circuit Clerk serving the Tenth Judicial Circuit.

Also:

H. 583. To amend Section 1 of Act No. 77 of the 1964 First Special Session of the Legislature of Alabama (Acts, First and Second Special Sessions of 1964, pp. 111-112) to make such act applicable to Class I cities and to provide for and fix the sum of \$1,000.00 per month as an allowance for expenses for the mayor or other chief executive officer of any such city for which he shall not be required to file an accounting; and to provide for the effective date of such increase.

Also:

H. 584. Relating to the City of Birmingham; to further amend Section 3.07(h) of Act No. 452, of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, page 1004), as amended, also known as the Mayor-Council Act of 1955 so as to provide, that the existing Council employees employed under such section, within 30 days of this bill becoming law, may withdraw from membership in any pension system for general employees of a city organized under said act, upon application for such withdrawal, and that such Council employees employed under said section shall be included in such general pension system of such city upon application for membership within 30 days of appointment.

Also:

H. 695. Relating to Jefferson County; to amend Section 2 of Act No. 681, H. 505 of the 1977 Regular Session of the Alabama Legislature, (Acts 1977, p. 1181), relating to the compensation of the executive assistant to the sheriff of Jefferson County so as to provide further for said compensation of the executive assistant; and to repeal Act No. 83-589 of the 1983 Regular Session.

Also:

H. 710. An act, to restate, confirm, and describe the boundaries and corporate limits of the City of Alabaster, Alabama.

Also:

H. 727. To provide for the payment of an expense allowance to members of the board of directors of any Waterworks or Sewer Board heretofore or hereafter organized pursuant to the statute now codified as Sections 11-50-230 to 241, Code of Alabama 1975.

Also:

H. 789. Relating to Jackson County, creating a Jackson County Economic Development Authority and providing for said authority's composition, terms, duties and powers.

Also:

H. 796. Relating to Clarke County; levying an additional ad valorem

tax in the county to be used for school purposes and for the county general fund and providing for a referendum on such additional taxes.

Also:

H. 899. To alter, rearrange and extend the boundary lines and corporate limits of the City of Centre in Cherokee County, Alabama.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 9. To provide for branch banking in Pickens County.

Also:

H. 43. Relating to Chilton County; to provide for an additional expense allowance for the county coroner.

Also:

H. 131. Relating to Randolph County; to provide for an optional system of motor vehicle tag and decal purchasing by mail; to authorize an additional fee for mailing tags; to provide for the disposition of such fees; to provide that the county commission shall provide such necessary space, personnel, equipment and supplies; and to provide retroactive effect to January 1, 1983.

Also:

H. 175. To provide for purging the lists of registered voters in Talladega County; requiring and prescribing the procedure for the reidentification of registered voters; placing certain duties on the board of registrars, judge of probate and the county governing body relative to the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Also:

H. 127. Relating to Washington County; providing further for the compensation of members of the county commission; prescribing that the members of the Washington County Commission, except the chairman, shall serve full time as such officers; providing for all fees, commissions or other charges heretofore collected and paid into the county general fund; specifically repealing Act No. 79-181, H. 311, Regular Session 1979 (Acts 1979, p. 291), Act No. 83-585, H. 38, Regular Session 1983, only to the extent these relate to the expense allowances and salary of the members of Washington County Commission, except the chairman, and all laws or parts



of laws which provide expense allowances, salary or other compensation for said members are hereby repealed; and providing for an effective date.

Also:

H. 128. Relating to Washington County; to provide that the sheriff shall be entitled to the allowances payable by the State, county or municipalities for feeding prisoners housed in the Washington County Jail; and to provide that the provisions of this Act shall be retroactive to January 18, 1983.

Also:

H. 129. Relating to Washington County; to provide for the rehabilitation of certain persons, both male and female, convicted of certain types of crimes and sentenced to a term of confinement in certain jails in the county, and providing for a rehabilitation board to supervise and administer the rehabilitation processes of this Act; to provide further for the carrying out of the provisions of this Act.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 210. To authorize the Pickens County Board of Health to designate the services rendered by the Pickens County Health Department for which a reasonable fee may be charged. The Pickens County Board of Health is further required to set a maximum fee for each service. The Pickens County Health Department may charge and collect such fees. No citizen shall be deprived of any service because that person is unable to pay.

Also:

H. 399. Relating to Lawrence County; to amend Act No. 79-84, H. 48, 1979 Regular Session (Acts 1979, p. 109), which act provides for an expense allowance for the county coroner, so as to provide further for said allowance.

Also:

H. 417. To levy a finance charge or a tax of ten cents per acre to be assessed against lands located in Pickens County, Alabama, which are used for timber growing purposes, to provide protection against forest fires, insects, disease and other pests within Pickens County; to provide for a referendum on the question and prescribing the procedure for the collection of such assessments.

Also:

H. 458. Relating to Sumter County; to repeal Act No. 83-66, H. 21, 1983 First Special Session, approved February 2, 1983, relating to employment by the sheriff of deputies sheriff and a secretary.

Also:

H. 531. Relating to Etowah County, requiring the county to continue paying health insurance premiums for a certain period of time for certain employees laid off due to insufficient funds.

Also:

H. 606. Relating to Escambia County; amending Section 3 of Act No. 82-305, S. 484, relating to providing supplemental fee allowances for constables and providing additional court costs, so as to provide for an allocation to the Escambia County Juvenile Fund and to provide for the authority of the County Juvenile Court Judge to expend such funds.

Also:

H. 607. Relating to Escambia County; amending Sections 1 and 2, Act No. 82-744, H. 105, 1982 Second Special Session (Acts 1982, First, Second and Third Special Sessions, p. 215), providing for the payment, use and distribution of net monies received by the county from severance and privilege tax on oil or gas under local law, including funds received pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975, so as to provide further for the distribution of such proceeds and to include the funds pursuant to Act No. 83-889, H. 26, Fourth Special Session 1983, relating to revenues from submerged lands; and providing retroactive effect.

Also:

H. 636. Relating to Walker County; providing an additional expense allowance for the coroner.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 40. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Etowah County, Alabama.

Also:

H. 239. Relating to Greene County; to provide for the distribution of the tax revenue imposed by the exclusive statewide uniform local tax on beer, to provide for the use of said tax and for the collection and administration thereof, including retirement of debt service or making lease payments to a public corporation (or a combination thereof) for a new Greene County Courthouse, renovating the existing County Courthouse, constructing a new County jail and renovating the existing County jail (or and combination thereof).

Also:

H. 246. Relating to Pike County; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1983.

Also:

H. 247. Relating to Pike County; to authorize all county law enforcement officers and the municipal law enforcement officers within Pike County to enforce the state's illegal waste dumping statutes to the same

extent as Pike County health authorities are empowered to enforce such laws.

Also:

H. 387. Relating to Marion County, to provide further for the compensation of the coroner.

Also:

H. 474. Relating to Wilcox County; to give the county commission certain powers in regard to constructing and maintaining roads and rights-of-way leading to private dwellings.

Also:

H. 528. Relating to Sumter County; to amend Section 2 of Act No. 176, H. 656, Regular Session 1973 (Acts 1973, p. 217), as amended, which relates to expense allowances of the members of the county commission, so as to further provide for such expense allowances and to provide for its retroactive effect.

Also:

H. 587. Relating to Butler County; providing an additional expense allowance for the county coroner; and to specifically repeal Act # 213, Acts of Alabama, Regular Session, 1951, page 475.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 555. To provide for a special recording fee, in addition to all existing recording fees and charges for documents hereafter filed for record in Pickens County; and to prescribe the use thereof.

Also:

H. 559. To provide an annual supplemental salary for the Judge of the District Court of Chambers County.

Also:

H. 569. To levy a finance charge of ten cents per acre on forest lands located in Winston County, Alabama, which are used for timber growing purposes, to provide protection against forest fires within Winston County; to provide for a referendum on the question; and prescribing the procedure for the collection of such assessments.

Also:

H. 620. Relating to Etowah County; authorizing certain county health officers or administrators to issue official death certificates, levy and collect fees therefor; and providing for the distribution of such revenues for county health purposes.

Also:

H. 622. Relating to Etowah County; authorizing certain county offi-

cials to use mechanical or facsimile devices for signatures on warrants or checks drawn on the county treasury or depository.

Also:

H. 643. Relating to St. Clair County; providing for the filing for record and the preservation of all orders and decrees made and entered by any judge of the circuit court in St. Clair County.

Also:

H. 737. Relating to Washington County; providing for an expense allowance, payable from the county general fund, for the Circuit Clerk of the county; specifically repealing Act No. 81-177, H. 618, Regular Session 1981 (Acts 1981, p. 202), and repealing conflicting laws, all relating to the compensation of the Circuit Clerk of Washington County; providing that such expense allowance shall be calculated on a certain percentage of the state compensation for such official.

Also:

H. 774. Relating to Coffee County; providing further for the compensation of the sheriff.

Also:

H. 775. Relating to Coffee County; providing for an expense allowance payable from the general fund of the county treasury for the probate judge; and providing further for the compensation of such official.

Also:

H. 705. To authorize the Marion County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county and to prescribe the procedure for levying and collecting such assessments.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 222. This bill proposes a constitutional amendment relating to state income taxes. It increases the maximum rate of state income taxes from five percent to six percent and preserves the deductibility of federal income taxes as provided in existing law.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

Rep. Campbell offered the motion that the House concur in and adopt the Senate amendment to the bill, H. 222, said Senate amendment being as follows:

A BILL  
TO BE ENTITLED  
AN ACT

This bill proposes a constitutional amendment relating to state income taxes. It increases the maximum rate of state income taxes from five percent to six percent and preserves the deductibility of federal income taxes as provided in existing law, and further provides for the use of the proceeds of such taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Proposed Constitutional Amendment. The following amendment to the Constitution of Alabama is proposed, and shall become valid as a part thereof when approved and proclaimed as prescribed by law:

PROPOSED AMENDMENT

"The Legislature shall have power to levy and provide for the collection of state taxes on net income of corporations and individuals, from whatever source derived, for the calendar year 1985, or for any fiscal year beginning in the calendar year 1985, and each calendar year or fiscal year thereafter, at a rate not exceeding 6%. The revenue from the taxes herein authorized shall be used: (1) to replace the revenue lost to the several funds of the state by reason of the exemption of homesteads from the state ad valorem tax, and (2) the residue shall be placed in the state treasury to the credit of the Alabama Special Educational Trust Fund to be used for public education purposes. A resident individual or a corporation organized under the law of this state shall be allowed to deduct from gross income the amount of federal income tax paid or accrued within the taxable year. A nonresident individual or foreign corporation shall be allowed to deduct only that amount of federal income tax paid or accrued in the taxable year on income received from sources within the state, to be determined in accordance with such laws as the legislature may enact. Except as prohibited by this Constitution, the Legislature, in enacting laws taxing income, may define income by reference to provisions of the laws of the United States as they then exist or may prospectively be enacted, with such modification as may be prescribed by the law of this state."

Section 2. Election Ordered; Date of Election. An election upon the proposed amendment is ordered to be held on September 25, 1984. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Sections 17-17-1 through 17-17-6 of the Code of Alabama, 1975.

Section 3. Notice of Election. Notice of the Election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the date appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Section 4. Special Provisions Respecting Election Date. It is hereby expressly provided that no act or resolution hereafter enacted or adopted by the Legislature fixing or purporting to fix the date of election on any one or more proposed constitutional amendments (a) shall apply to the amendment hereinabove proposed, or (b) shall be construed to amend, alter or repeal in any way the provisions of Section 2 of this act, unless (i) specific reference to this act and the amendment hereinabove proposed is made in such subsequent act or resolution, and (ii) it appears unequivocally from the

explicit provisions of such subsequent act or resolution that such act or resolution is intended by the Legislature to fix an election date on the amendment hereinabove proposed other than the election date fixed in Section 2 of this act.

### SUBSTITUTE MOTION OFFERED

Rep. Brooks offered the substitute motion that the House non-concur in the Senate amendment to the bill, H. 222, and request a Committee on Conference be appointed on the disagreement of the two Houses.

### SUBSTITUTE MOTION TO SUBSTITUTE MOTION TABLED

On motion of Rep. Campbell, the substitute motion offered by Rep. McKee that the House non-concur in the Senate amendment to the bill, H. 222, to the substitute motion offered by Rep. Brooks, was tabled.

Yeas 42; Nays 37.

*Yeas:*

Mr. Speaker, Albright, Blake, Blakeney, Bowling, Brakefield, Browder, Bugg, Buskey (John), Campbell, Carter, Clark (J), Clark (W), Coburn, Crow, Davis, Escott, Ford, Fuller, Holley, Horn, Johnson (Roy), Kennedy, Lauderdale, McDowell, Marietta, Melton, Mitchell, Moore, Nicholson, Onderdonk, Parker, Perdue, Pratt, Richardson, Rogers, Spratt, Thomas, Trammell, Turner, Warren and White (L).

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*Nays:*

Reps.: Adams, Bachus, Black, Box, Brooks, Burke, Buskey (James), Butler, Clark (D), Coleman, Cosby, Dutton, Faulk, Gaston, Gray, Hammett, Harper, Hettinger, Hooper, Johnson (R.G.), Junkins, Kvalheim, Laird, McKee, McMillan, Martin, Mikell, Newman, Payne, Poole, Rains, Rice, Sasser, Starkey, Starr, Venable and White (G).

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### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 128. To amend Section 28-3A-25, Code of Alabama 1975, which provides for certain unlawful acts and offenses under the Alcoholic Beverage Licensing Code, so as to further define the offense of sales of alcoholic beverages to minors.

Also:

S. 192. To make a supplemental appropriation from the general fund in the state treasury to the office of the Secretary of State the fiscal year ending September 30, 1984.

Also:

S. 257. To amend Sections 13A-12-170, 13A-12-171, 13A-12-172, 13A-12-175, 13A-12-178, 13A-12-179, Code of Alabama, 1975, relating to the sale, exhibition, etc., of pornographic materials to minors; to define and prohibit the display, distribution and exhibition of pornography to minors; to pro-

vide for the enjoining of violations of this Act by the circuit courts; to provide for the extradition of persons charged with violations of this Act; to provide for the forfeiture of materials used in violation of this Act; to repeal Sections 13A-12-176 and 13A-12-177, Code of Alabama, 1975; and to provide severability and effective dates.

Also:

S. 276. To amend Section 41-16-55, Code of Alabama 1975, which relates to penalties for violations of the state bid law on public contracts, so as to provide that a person who intentionally and knowingly participates in an agreement to bid at a certain price or to refrain from bidding on bids of over \$2,000, is guilty of a Class C felony and shall be punished as prescribed by law and that other violations of this section involving bids of \$2,000 or under shall be deemed a Class A misdemeanor, and shall be punished as prescribed by law.

Also:

S. 285. To amend Section 36-17-3 of the Code of Alabama 1975, relating to the duties and functions of the state treasurer.

Also:

S. 287. To amend Section 36-17-16 of the Code of Alabama 1975 so as to further provide for the destruction of cancelled state warrants.

Also:

S. 351. To exempt the National Conference of State Legislatures and the Council of State Governments from the payment of all state, county and municipal sales and use taxes.

Also:

S. 460. To authorize certain surplus state owned property to be loaned to volunteer ambulance services and volunteer rescue squads; to provide for a screening procedure and the final disposition of said property; and to provide for certain criminal penalties for violating the provisions of this act.

Also:

S. 472. To amend Section 9-3-12, Code of Alabama 1975, relating to the state forestry commission steering committee, so as to provide further for an increase in committee members and their appointment.

Also:

S. 514. To amend Section 16-3-9, Code of Alabama, 1975, which provides for a specific expense allowance for each member of the State Board of Education.

Also:

S. 513. To make a supplemental appropriation to the National Conference of State Legislatures for membership dues.

McDOWELL LEE,  
Secretary.

### SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolution, your signature thereto is requested:

S. 20. To permit small businesses and individuals to recover the costs of defending against a state agency when they prevail in court upon appeal.

Also:

S. 372. To make an appropriation to the Louisiana, Mississippi, Alabama Rapid Rail Transit Commission.

Also:

S. 414. To provide for a guaranteed minimum starting wage or salary for all county law enforcement officers of this state and provide for the enforcement of the provisions of this act.

Also:

S. J. R. 72. CREATING THE LIMESTONE COUNTY EDUCATIONAL TASK FORCE.

McDOWELL LEE,  
Secretary.

#### SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolution, the titles of which are set out in the above and foregoing Message from the Senate.

#### H. 222 RESUMED

The question was then on the substitute motion offered by Rep. Brooks that the House non-concur in the Senate amendment to the bill, H. 222, and request a Committee on Conference be appointed on the disagreement of the two Houses.

#### MOTION TO TABLE

Rep. Campbell offered the motion to table the substitute motion offered by Rep. Brooks.

#### H. 222 TEMPORARILY POSTPONED

On motion of Rep. Venable, further consideration of the bill, H. 222, and the Senate amendment, was temporarily postponed.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:



By Senator deGraffenried:

S. J. R. 248. PETITIONING THE CONGRESS OF THE UNITED STATES TO RESTORE THE WORK INCENTIVE PROGRAM TO A REASONABLE FUNDING LEVEL CONSISTENT WITH PROGRAM NEEDS AND RESPONSIBILITIES FOR HELPING RECIPIENTS OF AID TO DEPENDENT CHILDREN IN BECOMING PRODUCTIVE UNSUBSIDIZED WAGE EARNERS.

WHEREAS, the national Work Incentive Program was established in 1967 under the provision of Title VI of the Social Security Act to assist recipients of Aid to Dependent Children in becoming productive wage earners; and

WHEREAS, the national Work Incentive Program has been the moving force in providing opportunities for ADC Recipients to move from welfare dependency to unsubsidized independence as job holders; and

WHEREAS, the national Work Incentive Program has become the primary agency for referral to employment and training programs designed to lead to unsubsidized employment as a replacement for welfare dependency; and

WHEREAS, every Alabamian deserves the opportunity to know the dignity of work as nothing contributes more to an individual's sense of pride and self-worth, and the Work Incentive Program is dedicated to nurturing the mutually rewarding partnership of business and labor with the mission to bridge the gap between welfare dependency and employment; and

WHEREAS, the Alabama Work Incentive Program assisted over 2,600 welfare recipients in becoming productive wage earning members of society in fiscal year 1983, and

WHEREAS, the Work Incentive Program has not been included in the Administration's FY 1985 Budget now before Congress; and

WHEREAS, the Alabama Work Incentive Program returned more than \$9.30 in positive benefits of wages, ADC grant reductions, medicaid savings and food stamp savings for every program dollar spent in fiscal year 1983; and

WHEREAS, the Congress of the United States has funded the Work Incentive Program since its inception; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby petition the Congress of the United States to continue funding the Work Incentive Program as it presently operates and at a reasonable funding level consistent with program needs and responsibilities for helping recipients of Aid to Dependent Children in becoming productive unsubsidized wage earners.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the members of the Alabama U.S. Congressional Delegation.

McDOWELL LEE,  
Secretary.

### SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 248, set out in the above and foregoing Message from the Senate.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Dial: ·

S. J. R. 190. COMMENDING MR. JOEY HASSELL OF CHILDERSBURG, ALABAMA, PRESIDENT OF AUBURN UNIVERSITY SCHOOL OF PHARMACY.

McDOWELL LEE,  
Secretary.

## SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 190, the title of which is set out in the above and foregoing Message from the Senate.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Corbett:

S. J. R. 254. AMENDING ACT NO. 84-109, S. J. R. 44, CREATING SELECT COMMITTEE TO CONSIDER HOSTING SOUTHERN LEGISLATIVE CONFERENCE ON CHILDREN AND YOUTH IN ALABAMA.

WHEREAS, the Southern Legislative Conference on Children and Youth has enabled states to educate key decision makers, thereby resulting in the passage of major legislation benefiting and serving its youth; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a select committee to consider seeking Alabama as the host state for the Southern Legislative Conference on Children and Youth, to be called The Southern Conference on Children and Youth Committee. The committee shall consist of six (6) members as follows: the Governor, or his designee; the Director of the Youth Services Department, or his designee; the Lieutenant Governor, or a Senator designated by him; the Speaker of the House, or a member of the House designated by him; one Senate member selected by the Lieutenant Governor; and one House member selected by the Speaker.

The committee shall select from among its members a chairman. The committee shall meet upon the call of its chairman. The committee is authorized to employ clerical help for the committee's business. The legislative members of the committee shall receive their regular legislative expenses, compensation and per diem for each day the committee meets, provided the entire expenses of the committee shall not exceed \$10,000.00.

There is hereby appropriated from funds available to the legislature such amounts not to exceed \$10,000.00, as are necessary for the committee's use.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 254, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Senator Teague:

S. J. R. 257. COMMENDING THE TALLADEGA HIGH SCHOOL BASKETBALL TEAM.

Also:

By Senator Teague:

S. J. R. 258. CONGRATULATING AND COMMENDING GOOD-WATER HIGH SCHOOL, COOSA COUNTY, ALABAMA, ON THEIR OUTSTANDING 1983-84 BASKETBALL SEASON.

Also:

By Senator Teague:

S. J. R. 259. COMMENDING THE SYLACAUGA HIGH SCHOOL BASKETBALL TEAM.

Also:

By Senator Teague:

S. J. R. 260. COMMENDING AND CONGRATULATING TALLADEGA COUNTY TRAINING SCHOOL ON ITS STATE 1A BASKETBALL CHAMPIONSHIP.

Also:

By Senator Little:

S. J. R. 262. COMMENDING MIKE SANDA OF AUBURN, ALABAMA, NATIONAL HOOP SHOOT CHAMPION.

Also:

By Senator Little:

S. J. R. 263. COMMENDING DR. DALE L. HUFFMAN OF AUBURN UNIVERSITY.

Also:

By Senator Bailey:

S. J. R. 264. NAMING HIGHWAY 64 EAST IN HOUSTON COUNTY, "THE JOHN L. MURPHREE BOULEVARD".

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the

House concurred in and adopted the resolutions, S. J. R. 257, S. J. R. 258, S. J. R. 259, S. J. R. 260, S. J. R. 262, S. J. R. 263 and S. J. R. 264, the titles of which are set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senator Strong:

S. J. R. 273. RECOGNIZING NATIONAL AND STATE HISTORICAL PRESERVATION WEEK, MAY 13-19, 1984.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 273, the title of which is set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Senators Little, Aldridge, Amari, Bailey, Barron, Bedford, Bedsole, Bennett, Bishop, Cabaniss, Cooley, Corbett, Covington, deGraffenried, Denton, Dial, Dixon, Drinkard, Ellis, Figures, Foshee, Goodwin, Hand, Hilliard, Holmes, Langford, Menton, Mitchem, Parsons, Pearson, Sanders, Smith (B), Smith (J), Strong, and Teague:

S. J. R. 286. COMMENDING PROFESSOR STEPHEN G. DRIGGERS OF AUBURN UNIVERSITY.

McDOWELL LEE,  
Secretary.

#### SENATE MESSAGE

On motion of Rep. Johnson (Roy), the rules were suspended and the House concurred in and adopted the resolution, S. J. R. 286, the title of which is set out in the above and foregoing Message from the Senate.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the amendment proposed by His Excellency, the Governor, to the Bill:

S. 211. Relating to dental practice insurance coverage in health insurance policies and employee benefit plans so as to allow any individual who has dental insurance coverage or contract benefits, the right to select any dentist of his choice to furnish the dental care provided under such plans or policies; to provide that it shall be the duty and responsibility of the commissioner of insurance to enforce the provisions of this Act; and to provide

for penalties for violations as provided in Section 27-1-12 of the Code of Alabama 1975.

by a vote of: Yeas 20, Nays 3, which was a majority of the whole number elected to the Senate.

And The Senate reconsidered the Bill, S. B. 211.

And said Bill, S. B. 211, was again read at length and passed, the Governor's objections to the contrary notwithstanding, by a vote of Yeas 26, Nays 2, which was a majority of the whole number elected to the Senate.

And said Bill, S. B. 211, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the House for its consideration.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE GOVERNOR

To The Alabama Senate  
State Capitol  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I transmit herewith a message from Governor George C. Wallace, returning to you, the house from which it originated, Senate Bill No. 211, without the Governor's signature and approval, but with the following suggested Executive Amendment.

DONE this 10th day of May, 1984.

Respectfully submitted,  
ELVIN L. STANTON,  
Executive Secretary.

MESSAGE FROM THE GOVERNOR

To The Alabama Senate  
State Capitol  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I am returning to you, the body in which it originated, Senate Bill No. 211, without my signature and approval but with the following Executive Amendment:

After receiving much information regarding this proposed Act, I am of the opinion that corporations doing business under the Dental Services Corporation Act are doing business in such fashion as to result in a significant cost containment of dental expenses for a substantial number of citizens of the State of Alabama. I further feel that participations in dental service programs being operated by corporations operating under the Dental Services Corporation Act is voluntary on the part of the citizens of the State of Alabama and that the citizens of this state should not be deprived from the opportunity of participating in a voluntary and optional program of this type. Thus, I propose the following Executive Amendment which, if adopted, will remove my objection to this proposed Act.

## EXECUTIVE AMENDMENT TO S. 211.

On page 1 of 6, section 1, line 19, after the words "dental care services", delete the sign "." and insert the following "; however, any corporation now or hereafter, organized and doing business pursuant to the 'Dental Services Corporation Act', Code of Alabama 1975, as amended, Section 360-391, shall be exempt from the provisions of this Act, and the requirements of this Act shall not be applicable to any such corporations."

The adoption of the above foregoing suggested Executive Amendment will correct the content of the said Bill and will remove my objections to this Bill.

DONE this 10th day of May, 1984.

Respectfully,  
GEORGE C. WALLACE,  
Governor.

## SENATE MESSAGE

The House then proceeded to reconsider the bill, S. 211, the title of which is set out in the above and foregoing Message from the Senate.

On motion of Rep. Johnson (Roy), the House non-concurred in the amendment proposed by His Excellency, the Governor, to the bill, S. 211, said Executive amendment being set out in the above and foregoing Message from the Senate.

Yeas 80; Nays 2.

*Yeas:*

Reps.: Adams, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Escott, Flowers, Ford, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kvalheim, Lauderdale, Lindsey, McDowell, McMillan, Marietta, Martin, Melton, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Preuitt, Reed, Rice, Richardson, Rogers, Seibels, Spratt, Starkey, Starr, Thomas, Trammell, Venable, Warren, White (F), White (G), White (L) and Zoghby.

—80

*Nays:* Mr. Speaker and Albright.

—2

On motion of Rep. Johnson (Roy), the bill, S. 211, was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 84; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Escott, Faulk, Flowers, Gaston, Goodwin, Gray, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim,

Lauderdale, Lindsey, McDowell, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Preuitt, Reed, Rice, Richardson, Rogers, Seibels, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

—84

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 816. To provide, in addition to benefits now received, a graduated percentage cost-of-living increase to all probate judges retired under the Judicial Retirement Fund of Alabama, prior to October 1, 1983; and to provide for the repeal of conflicting laws.

Also:

H. 439. To provide a fifteen percent or other cost-of-living increase for certain personnel in public education for the fiscal year ending September 30, 1985.

McDOWELL LEE,  
Secretary.

#### RESOLUTIONS

The following resolutions were introduced and distributed according to Joint Rule 11:

By Rep. Payne:

H. R. 392. COMMENDING THE HEWITT-TRUSSVILLE JUNIOR HIGH SCHOOL WRESTLING TEAM AND COACH MARK LASSETER.

Also:

By Reps. Nicholson and Brakefield:

H. R. 393. COMMENDING THE GARY ELLIS FAMILY OF JASPER, ALABAMA.

Also:

By Reps. Nicholson and Brakefield:

H. R. 394. COMMENDING WALKER COLLEGE, WALKER STATE TECHNICAL COLLEGE AND WALKER REGIONAL MEDICAL CENTER ON ESTABLISHMENT OF ASSOCIATE DEGREE NURSING PROGRAM.

Also:

By Reps. Turnham, Adams, Albright, Bachus, Beers, Biddle, Black, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Drake, Dutton, Escott, Faulk, Flowers, Ford, Fuller, Gaston, Goodwin, Gray, Grayson, Grouby, Hall, Hammett, Harper, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson

(R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McKee, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Smith, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

H. R. 395. COMMENDING COACH PAUL NIX OF AUBURN UNIVERSITY.

#### BILLS ON THIRD READING

And the bill:

S. 239. Relating to Jefferson County; providing for an expense allowance for the Assistant Tax Collector payable from the County General Fund and for an expiration date.

Was read a third time at length and passed.

Yeas 51; Nays 0.

*Yeas:*

Mr. Speaker, Black, Bowling, Box, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Clark (D), Clark (W), Cosby, Davis, Escott, Faulk, Ford, Gaston, Goodwin, Hammett, Harper, Harvey, Hettinger, Hooper, Horn, Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McDowell, McNair, Marietta, Martin, Melton, Mikell, Mitchell, Newman, Nicholson, Parker, Perdue, Poole, Pratt, Rains, Rogers, Sasser, Starkey, Turner, Venable, Warren, White (L) and Zoghby.

—51

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 615. Relating to the City of Homewood; to provide for the zoning of certain property.

Was read a third time at length and passed.

Yeas 33; Nays 0.

*Yeas:*

Mr. Speaker, Black, Blakeney, Box, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Carter, Clark (D), Clark (J), Clark (W), Crow, Gaston, Goodwin, Grayson, Grouby, Harper, Hettinger, Kvalheim, Lauderdale, McMillan, Moore, Newman, Nicholson, Parker, Poole, Rains, Richardson, Spratt and Zoghby.

—33

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.



The Clerk reported that there was a quorum present.

And the bill:

S. 393. To provide a supplemental salary for the elected deputy circuit clerk serving the Bessemer Cut-Off Division of the Tenth Judicial Circuit.

Was read a third time at length and passed.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker, Albright, Black, Boles, Box, Brooks, Browder, Bugg, Burke, Buskey (James), Buskey (John), Campbell, Clark (D), Clark (W), Coburn, Crow, Davis, Escott, Faulk, Ford, Gaston, Goodwin, Grayson, Grouby, Harper, Harvey, Hettinger, Horn, Junkins, Kvalheim, Lauderdale, Lindsey, McMillan, Martin, Melton, Newman, Nicholson, Parker, Perdue, Poole, Pratt, Rains, Richardson, Rogers, Spratt, Thomas, Trammell, Turnham, White (G) and Zoghby.

—50

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 381. To further amend Section 1 of Act No. 458, H. 1175, Regular Session 1975, Acts of Alabama, as amended, relating to the election of certain assistant county officials in Jefferson County to serve in the branch offices in the City of Bessemer so as to remove the provisions relative to the assistant probate judge.

Was read a third time at length and passed.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker, Boles, Box, Brakefield, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Crow, Davis, Escott, Faulk, Gaston, Goodwin, Grayson, Grouby, Harper, Harvey, Hettinger, Hooper, Horn, Junkins, Kennedy, Kvalheim, Lindsey, McMillan, Martin, Melton, Newman, Nicholson, Parker, Perdue, Poole, Pratt, Rains, Richardson, Rogers, Spratt, Starkey, Starr, Thomas, Trammell, Turnham and Zoghby.

—53

And the bill:

S. 434. Relating to Jefferson County; to alter, rearrange and extend the boundaries and corporate limits of the City of Midfield, Alabama, so as to incorporate certain territory as described herein.

Was read a third time at length and passed.

Yeas 44; Nays 0.

*Yeas:*

Mr. Speaker, Bachus, Box, Brooks, Bryant, Burke, Buskey (James), Buskey (John), Butler, Clark (D), Clark (W), Coburn, Coleman, Davis, Escott, Faulk, Gaston, Goodwin, Grayson, Grouby, Harper, Harvey, Hettinger, Junkins, Kvalheim, Lauderdale, Lindsey, McMillan, McNair, Melton, Newman, Nicholson, Parker, Perdue, Poole, Pratt, Rains, Richardson, Seibels, Spratt, Starkey, Starr, Thomas and Zoghby.

—44

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 559. Relating to Jefferson County; to alter, rearrange and extend the boundaries and corporate limits of the City of Midfield, Alabama, so as to incorporate certain territory as described herein.

Was read a third time at length and passed.

Yeas 55; Nays 0.

*Yeas:*

Mr. Speaker, Box, Brakefield, Brooks, Browder, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Faulk, Gaston, Goodwin, Grayson, Grouby, Harper, Harvey, Hettinger, Hooper, Horn, Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Martin, Moore, Newman, Nicholson, Parker, Perdue, Poole, Pratt, Rains, Reed, Richardson, Rogers, Seibels, Spratt, Starkey, Starr, Thomas, Turner, White (G) and Zoghby.

—55

And the bill:

S. 544. Relating to Jefferson County; providing further for the cost and charges in all district court cases and providing for the establishment of a Family Court Probation Fund in the county and the distribution of such funds.

Was read a third time at length and passed.

Yeas 50; Nays 0.

*Yeas:*

Mr. Speaker, Box, Brakefield, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Davis, Gaston, Goodwin, Grayson, Grouby, Harper, Harvey, Hettinger, Hooper, Horn, Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Martin, Moore, Newman, Nicholson, Parker, Penry, Perdue, Poole, Rains, Reed, Richardson, Rogers, Seibels, Spratt, Starkey, Thomas, Turner, White (G) and Zoghby.

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 108. To authorize the Talladega County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Was read a third time at length and passed.

Yeas 39; Nays 0.

*Yeas:*

Mr. Speaker, Black, Blake, Blakeney, Brooks, Bryant, Burke, Buskey (James), Buskey (John), Clark (W), Coleman, Dutton, Gaston, Goodwin, Grayson, Grouby, Harvey, Hettinger, Hooper, Kennedy, Kvalheim, Lauderdale, Lindsey, Moore, Newman, Nicholson, Parker, Penry, Poole, Rains, Richardson, Seibels, Starkey, Thomas, Trammell, Turner, Warren, White (L) and Zoghby.

—39

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 245. Relating to Cullman County; authorizing a procedure whereby the sheriff is authorized to offer for public auction to the highest bidder for cash abandoned and stolen person property which has been recovered by the sheriff's department of the county and stored by said department but which has been unclaimed after six (6) months; providing that such auctions are to be made after notice of the time and place thereof shall have been given publication once a week for two weeks in a newspaper of general circulation published in Cullman County, or by posting in a conspicuous place at the county courthouse; providing that the first publication or posting of said notice shall be twenty days before the said auction; providing a procedure for the conduct of said auction; providing that the owner of any of the abandoned or stolen property recovered and stored by the sheriff may redeem the same at any time prior to its sale by paying any reasonable storage or maintenance costs incurred and a pro rata cost of publication and further providing that after deducting and paying all expenses incurred in storing or auctioning the said property, all proceeds from the sale of said property shall be paid into the general fund of the county.

Was read a third time at length and passed.

Yeas 49; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Black, Blake, Blakeney, Box, Brakefield, Brooks,

Bryant, Burke, Buskey (James), Buskey (John), Carter, Clark (D), Clark (W), Coleman, Cosby, Dutton, Faulk, Gaston, Goodwin, Grayson, Harvey, Hettinger, Hooper, Kennedy, Kvalheim, Lauderdale, Lindsey, Marietta, Martin, Moore, Newman, Nicholson, Parker, Penry, Poole, Rains, Richardson, Seibels, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Warren, White (L) and Zoghby.

—49

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 246. Relating to Cullman County; to provide for a special recording fee on documents filed in the office of the judge of probate; to provide that such special recording fee be used for the purpose of acquiring and maintaining electronic data processing equipment for the office of the judge of probate.

Was read a third time at length and passed.

Yeas 53; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Black, Blakeney, Box, Brakefield, Brooks, Bryant, Bugg, Burke, Buskey (John), Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Dutton, Faulk, Gaston, Goodwin, Grayson, Harvey, Hettinger, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Lindsey, Marietta, Martin, Mikell, Moore, Newman, Nicholson, Parker, Penry, Poole, Rains, Richardson, Sasser, Seibels, Spratt, Starkey, Starr, Thomas, Turner, Venable, Warren, White (G) and Zoghby.

—53

And the bill:

S. 247. Providing full-time status for the associate county commissioners of Cullman County; providing certain salaries for such commissioners and prescribing realms of responsibility relating to the county road program for such commissioners.

Was read a third time at length and passed.

Yeas 56; Nays 0.

*Yeas:*

Mr. Speaker, Albright, Black, Blakeney, Bowling, Box, Brakefield, Brooks, Bryant, Burke, Buskey (John), Butler, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Dutton, Faulk, Gaston, Goodwin, Gray, Grayson, Grouby, Harvey, Hettinger, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Lindsey, Martin, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Poole, Rains, Richardson, Sasser, Seibels, Starkey, Starr, Thomas, Trammell, Turner, Venable, Warren, White (G), White (L) and Zoghby.

—56

And the bill:

S. 249. Relating to Cullman County; providing for the compensation of the sheriff, the judge of probate, the revenue commissioner, the coroner and the chairman of the county commission and providing a certain annual expense allowance for the court reporters of the thirty-second judicial circuit.

Was read a third time at length and passed.

Yeas 54; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Albright, Black, Blakeney, Bowling, Box, Brooks, Browder, Bryant, Burke, Buskey (John), Butler, Campbell, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Dutton, Flowers, Gaston, Goodwin, Grayson, Grouby, Harvey, Hettinger, Hooper, Kennedy, Kvalheim, Lauderdale, Lindsey, Martin, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Poole, Rains, Richardson, Sasser, Seibels, Starkey, Starr, Thomas, Trammell, Turner, Warren, White (L) and Zoghby.

—54

And the bill:

S. 250. Relating to selling and redeeming lands for taxes in Cullman County, Alabama.

Was read a third time at length and passed.

Yeas 50; Nays 0.

*Yeas:*

Reps.: Black, Blakeney, Bowling, Box, Brooks, Bryant, Burke, Buskey (John), Butler, Carter, Clark (D), Clark (W), Coleman, Cosby, Crow, Dutton, Flowers, Gaston, Goodwin, Grayson, Grouby, Harvey, Hettinger, Hooper, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Martin, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Poole, Rains, Seibels, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Warren, White (G), White (L) and Zoghby.

—50

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 251. Relating to Cullman County; authorizing any town or municipality in said county to regulate the business hours of game and billiard rooms either by ordinance, rule or regulation or by license fees.

Was read a third time at length and passed.

Yeas 53; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Bachus, Black, Bowling, Box, Brooks, Bryant, Burke,

Buskey (John), Butler, Carter, Clark (D), Clark (W), Cosby, Crow, Flowers, Gaston, Goodwin, Grayson, Grouby, Harvey, Hettinger, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Poole, Rains, Reed, Richardson, Seibels, Starkey, Starr, Tanner, Thomas, Turner, Warren, White (G), White (L) and Zoghby.

—53

And the bill:

S. 411. To amend Section 12 of Act No. 80-442 so as to eliminate the 90 days waiting period to draw benefits for normal retirement from the Policemen's and Firemen's Retirement Fund of the City of Gadsden, Alabama.

Was read a third time at length and passed.

Yeas 59; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Black, Blakeney, Bowling, Box, Brooks, Bryant, Bugg, Burke, Buskey (John), Butler, Carter, Clark (D), Clark (W), Coburn, Cosby, Crow, Faulk, Ford, Gaston, Goodwin, Grayson, Grouby, Hammett, Harvey, Hettinger, Hooper, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Poole, Rains, Reed, Richardson, Seibels, Starkey, Starr, Tanner, Thomas, Turner, Venable, Warren, White (G), White (L) and Zoghby.

—59

And the bill:

S. 443. To extend, alter and rearrange the boundary lines and corporate limits of the City of Lincoln, Talladega County, Alabama.

Was read a third time at length and passed.

Yeas 55; Nays 0.

*Yeas:*

Reps.: Adams, Bachus, Black, Blakeney, Bowling, Box, Brooks, Bryant, Burke, Buskey (John), Butler, Carter, Clark (D), Clark (W), Cosby, Crow, Faulk, Ford, Gaston, Goodwin, Gray, Grayson, Grouby, Hammett, Harvey, Hettinger, Hooper, Johnson (R.G.), Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Lindsey, Martin, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Poole, Rains, Reed, Richardson, Seibels, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Venable and Warren.

—55

And the bill:

S. 570. Relating to Calhoun County; to extricate certain public officers in said county from the provisions of Section 6-8-40 of the Code of Alabama 1975 which require such officers and officials to subscribe for, take and file certain weekly newspapers.

Was read a third time at length and passed.

Yeas 52; Nays 0.

*Yeas:*

Mr. Speaker, Black, Bowling, Box, Britnell, Browder, Burke, Buskey (James), Buskey (John), Carothers, Carter, Clark (J), Cosby, Crow, Faulk, Flowers, Ford, Gaston, Goodwin, Hall, Harper, Harvey, Holmes, Johnson (R.G.), Junkins, Kennedy, Laird, Lauderdale, McMillan, Marietta, Martin, Mikell, Mitchell, Moore, Newman, Onderdonk, Payne, Perdue, Preuit, Rains, Reed, Rice, Seibels, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Venable, White (G) and White (L).

—52

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 587. Relating to Calhoun County; establishing a branch of the license commissioner's office in the City of Piedmont.

Was read a third time at length and passed.

Yeas 55; Nays 0.

*Yeas:*

Mr. Speaker, Adams, Black, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (W), Cosby, Crow, Faulk, Ford, Gaston, Goodwin, Grayson, Grouby, Hammett, Harvey, Hettinger, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Poole, Rains, Reed, Rice, Richardson, Spratt, Starkey, Starr, Tanner, Thomas, Turner, Venable and Warren.

—55

And the bill:

S. 597. Relating to St. Clair County; to provide further for the election of the members of the county board of education and the superintendent of education.

Was read a third time at length and passed.

Yeas 48; Nays 0.

*Yeas:*

Reps.: Black, Blakeney, Bowling, Box, Brakefield, Brooks, Bryant, Burke, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (W), Cosby, Faulk, Gaston, Goodwin, Grayson, Hammett, Harvey, Hettinger, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Lindsey, McMillan, Marietta, Martin, Mikell, Mitchell, Newman, Nicholson, Parker, Penry, Poole, Reed, Rice, Richardson, Starkey, Starr, Tanner, Thomas, Turner, Turnham and White (G).

—48

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 621. To amend the Title and Section 4 of Act No. 80-572, S. 576 (Acts 1980, p. 885), said act relating to Lowndes County and the additional levy of tax on persons, firms and corporations selling and distributing or delivering malt or brewed beverages to retailers, so as to provide further for the administration of the Juvenile Services Trust Fund Account.

Was read a third time at length and passed.

Yeas 39; Nays 0.

*Yeas:*

Reps.: Albright, Black, Blakeney, Bowling, Brooks, Bryant, Burke, Buskey (John), Butler, Clark (D), Davis, Faulk, Gaston, Goodwin, Grayson, Hammett, Harvey, Hettinger, Hooper, Horn, Johnson (Roy), Kennedy, Kvalheim, Lindsey, Marietta, Mitchell, Nicholson, Parker, Penry, Poole, Reed, Rice, Rogers, Spratt, Starkey, Tanner, Thomas, Turner and White (G).

—39

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 633. Relating to the City of Cullman in Cullman County; to validate, in certain cases, annexations heretofore held by the City of Cullman.

Was read a third time at length and passed.

Yeas 50; Nays 0.

*Yeas:*

Reps.: Albright, Black, Blake, Blakeney, Bowling, Box, Brakefield, Brooks, Bryant, Burke, Buskey (James), Butler, Clark (D), Clark (W), Cosby, Crow, Faulk, Ford, Gaston, Grayson, Hammett, Harvey, Hettinger, Hooper, Kennedy, Kvalheim, Lauderdale, Marietta, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Poole, Reed, Rice, Richardson, Sasser, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, White (G), White (L) and Zoghby.

—50

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.



And the bill:

S. 635. Relating to Marshall County; to further regulate the appropriation and distribution of Tennessee Valley Authority funds paid in-lieu-of-taxes; making certain provisions retroactive to April 1, 1984; and specifically providing that the provisions of this act shall be cumulative.

Was read a third time at length and passed.

Yeas 51; Nays 0.

*Yeas:*

Reps.: Albright, Beers, Biddle, Black, Blake, Blakeney, Bowling, Box, Brakefield, Brooks, Bryant, Burke, Buskey (James), Buskey (John), Butler, Clark (D), Clark (W), Coleman, Cosby, Crow, Ford, Gaston, Goodwin, Gray, Grayson, Grouby, Hammett, Harvey, Hettinger, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Marietta, Martin, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Poole, Reed, Rice, Richardson, Spratt, Starkey, Tanner, Venable and White (G).

—51

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 639. To provide for the filing for record and the preservation of all orders and decrees made and entered by any Judge of the Circuit Court of the 32nd Judicial Circuit.

Was read a third time at length and passed.

Yeas 55; Nays 0.

*Yeas:*

Reps.: Albright, Biddle, Black, Blakeney, Bowling, Box, Brooks, Bryant, Burke, Buskey (James), Buskey (John), Butler, Clark (D), Clark (W), Crow, Davis, Ford, Gaston, Goodwin, Grayson, Grouby, Hammett, Harvey, Hettinger, Hooper, Horn, Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, Marietta, Martin, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Perdue, Poole, Reed, Richardson, Rogers, Sasser, Spratt, Starkey, Starr, Tanner, Trammell, Venable, Warren, White (G) and Zoghby.

—55

And the bill:

S. 564. To authorize Class I municipalities to alter and change water courses and to construct and develop wharves and wharf facilities within a radius of twenty-five miles in order to maximize the ability of municipalities to promote the use of river and water transportation to take advantage of the shipping potential made possible by the Tombigbee Waterway, provided that no such facility can be constructed or developed within the police jurisdiction of another municipality without the consent thereof, or in an unincorporated area of any county without the consent of the governing body of such county; to issue general obligation bonds, or to authorize industrial

development boards to issue revenue bonds to finance such facilities; to authorize municipalities and counties to contribute funds to such municipalities for construction and operation of such facilities, and to contract for joint construction and operation thereof; to provide an effective date of the Act.

Was taken up.

#### AMENDMENT OFFERED

Rep. Payne offered the following amendment to the bill, S. 564:

Amend S. B. 654, Section 3, page 3, line 10, after the word of by striking the following language: ~~Section -1~~ and inserting in lieu thereof the following: this act

#### AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 23; Nays 0.

Yeas:

Reps.: Bachus, Beers, Biddle, Boles, Bowling, Brooks, Davis, Escott, Gray, Harvey, Hooper, Horn, McDowell, McNair, Mitchell, Payne, Perdue, Pratt, Rogers, Seibels, Spratt, Trammell and White (G).

—23

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 564 as thus amended, was read a third time at length and passed.

Yeas 17; Nays 0.

Yeas:

Reps.: Bachus, Beers, Biddle, Boles, Bowling, Brooks, Davis, Escott, Gray, McDowell, McNair, Mitchell, Perdue, Pratt, Rogers, Spratt and White (G).

—17

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 647. Relating to Etowah County; creating and establishing a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers and duties of the personnel director; and providing penalties for violation of any of the provisions of this act.

Was read a third time at length and passed.

Yeas 27; Nays 0.

*Yeas:*

Reps.: Bachus, Blake, Bowling, Brakefield, Brooks, Bryant, Bugg, Butler, Carter, Gaston, Gray, Grayson, Harvey, Hooper, Junkins, Lindsey, Martin, Mitchell, Moore, Newman, Parker, Penry, Perdue, Seibels, Tanner, White (G) and Zoghby.

—27

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 450. Relating to Cleburne County; providing further for the expense allowance and salary for the county coroner.

Was read a third time at length and passed.

Yeas 24; Nays 0.

*Yeas:*

Reps.: Bachus, Bowling, Brakefield, Brooks, Clark (D), Gaston, Harvey, Hettinger, Hooper, Kvalheim, Lauderdale, Lindsey, Martin, Mitchell, Newman, Parker, Penry, Reed, Seibels, Spratt, Tanner, White (G), White (L) and Zoghby.

—24

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 455. Relating to Morgan County; to authorize the Morgan County Commission to pay the actual cost of replacing any clothing or equipment of a deputy sheriff, probation officer or juvenile detention officer of the county that is damaged or destroyed while such officer is engaged in the performance of his official duties and acting within the line and scope of his authority.

Was read a third time at length and passed.

Yeas 26; Nays 0.

*Yeas:*

Mr. Speaker, Bachus, Bowling, Brakefield, Brooks, Bryant, Butler, Clark (D), Coburn, Gray, Harvey, Hettinger, Hooper, Lauderdale, Marietta, Martin, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Starr, Tanner, White (G) and Zoghby.

—26

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 456. Relating to Morgan County; to authorize the Morgan County Commission to enter into contract providing for the Sheriff of Morgan County to furnish police protection within a municipality of the county on a contract basis. To further authorize municipalities entering into such a contract police agreement to pay over to the county treasurer monies sufficient to reimburse the county treasury for expenditures necessary to provide said contract policing.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Mr. Speaker, Blake, Bowling, Brakefield, Brooks, Bryant, Butler, Campbell, Clark (D), Gray, Harvey, Hettinger, Hooper, Johnson (Roy), Lauderdale, Marietta, Martin, Mitchell, Moore, Newman, Nicholson, Parker, Poole, Reed, Spratt, Starkey, Tanner, Turnham, White (G) and Zoghby.

—30

## PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 509. (With Substitute): Relating to Coosa County; to provide that all members of the county commission shall serve on a full time basis, effective upon the next term of office of any members; to regulate further the expense allowance of the members of the Coosa County Commission and giving retroactive effect to such expense allowance; and providing automatic termination of such expense allowance.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said committee substitute being as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Coosa County; to provide that all members of the county commission shall serve on a full time basis, effective upon the next term of office of any members.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the Coosa County Commission shall

devote his full time to the business of said commission effective upon the next term of office of any said member.

Section 2. Effective with the next term of office Coosa County Commissioners shall each receive an annual salary to be not less than minimum salary as set by law, which shall constitute the total compensation for such members, in lieu of all compensation, expense allowances or other compensation therefore provided by law.

Section 3. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### SUBSTITUTE TABLED

On motion of Rep. Venable, the substitute was tabled.

Yeas 25; Nays 0.

Yeas:

Reps.: Bachus, Brooks, Bryant, Butler, Flowers, Hammett, Harvey, Hettinger, Holmes, Johnson (Roy), Laird, Lauderdale, Mikell, Moore, Newman, Nicholson, Parker, Poole, Seibels, Starr, Tanner, Turnham, Venable, White (G) and White (L).

—25

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

#### SUBSTITUTE OFFERED

Rep. Venable offered the following substitute to the bill, S. 509.

#### A BILL TO BE ENTITLED AN ACT

Relating to Coosa County; to provide that members of the Coosa County Commission shall elect to serve either on a part-time or full-time basis, effective upon the next term of office of any member.

Be It Enacted by the Legislature of Alabama:

Section 1. Effective at the time of qualifying for the office of Coosa County Commission, candidates for the office of county commission shall elect, in writing, to serve on a part-time basis or full-time basis. Each commissioner elected as full time will devote their full time to the business of said commission.

Section 2. Effective with the next term of office, full-time commissioners shall each receive an annual salary of \$20,000.00 and part-time commissioners shall receive \$15,500.00 which shall constitute the total compensa-

tion for such members, in lieu of all compensation, expense allowances or other compensation therefore provided by law.

Section 3. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 4. All laws or part of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### SUBSTITUTE ADOPTED

And the substitute was adopted.

Yeas 34; Nays 0.

*Yeas:*

Reps.: Beers, Blake, Brakefield, Brooks, Bryant, Butler, Carter, Cosby, Escott, Gaston, Grouby, Hall, Hammett, Harvey, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Marietta, Mikell, Moore, Newman, Nicholson, Parker, Poole, Sasser, Seibels, Starr, Tanner, Turnham, Venable, White (G) and Zoghby.

—34

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, S. 509 as thus amended, was read a third time at length and passed.

Yeas 34; Nays 0.

*Yeas:*

Reps.: Adams, Bachus, Blake, Box, Brooks, Bryant, Buskey (James), Butler, Carter, Cosby, Gaston, Gray, Hall, Hammett, Harvey, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, Marietta, Mikell, Moore, Nicholson, Parker, Poole, Seibels, Spratt, Starr, Tanner, Turnham, Venable, White (G) and Zoghby.

—34

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 541. Relating to Coosa County; legalizing the sale of draft or keg beer or malt beverages; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 43; Nays 0.

*Yeas:*

Reps.: Adams, Blake, Bowling, Box, Brakefield, Brooks, Bryant, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (W), Cosby, Gaston, Hammett, Harvey, Holmes, Hooper, Johnson (R.G.), Johnson (Roy), Kvalheim, Lauderdale, Marietta, Martin, Mikell, Moore, Newman, Nicholson, Parker, Poole, Reed, Seibels, Spratt, Starkey, Starr, Tanner, Turnham, Venable, Warren, White (F), White (G) and Zoghby.

—43

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 618. Relating to the 8th Judicial Circuit; to provide an additional expense allowance to each court reporter.

Was read a third time at length and passed.

Yeas 37; Nays 1.

*Yeas:*

Reps.: Albright, Blake, Bowling, Brakefield, Brooks, Bryant, Buskey (John), Butler, Carter, Clark (D), Clark (W), Cosby, Escott, Gaston, Gray, Grouby, Hammett, Harvey, Holmes, Hooper, Johnson (Roy), Kvalheim, Lauderdale, Marietta, Martin, Moore, Newman, Nicholson, Parker, Perdue, Poole, Seibels, Spratt, Starr, Tanner, White (G) and Zoghby.

—37

*Nay:* Rep. Mikell.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 619. Relating to Morgan County; to amend Section 1 of Act No. 733, S. 811, Regular Session 1977 (Acts 1977, p. 1279) which regulates the compensation of members of the county board of registrars, so as to provide further for such compensation and to specifically repeal Act No. 622, H. 1108, 1981 Regular Session (Acts 1981, p. 1036).

Was read a third time at length and passed.

Yeas 42; Nays 0.

*Yeas:*

Reps.: Adams, Albright, Blake, Blakeney, Bowling, Box, Brakefield, Brooks, Bryant, Buskey (James), Butler, Carter, Clark (D), Clark (W), Cosby, Gaston, Grouby, Hammett, Harvey, Hooper, Johnson (Roy), Kvalheim, Lauderdale, McMillan, Marietta, Martin, Moore, Newman, Nicholson,

Parker, Penry, Perdue, Poole, Preuitt, Reed, Seibels, Tanner, Thomas, Turnham, White (G), White (L) and Zoghby.

—42

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 620. To provide an annual salary supplement for the clerk of the Morgan County Jury Commission, to be paid by the county; to provide that such supplement shall be in an amount so as to make the total salary of the Clerk of the Jury Commission equal to the total salary received by the Chairman of the Board of Registrars of said county; and to provide an effective date.

Was read a third time at length and passed.

Yeas 37; Nays 0.

Yeas:

Reps.: Albright, Blakeney, Bowling, Box, Brakefield, Brooks, Bryant, Buskey (John), Butler, Carter, Clark (D), Clark (W), Cosby, Gaston, Grouby, Hammett, Harvey, Holmes, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, McMillan, Marietta, Martin, Moore, Newman, Nicholson, Parker, Poole, Reed, Tanner, Turnham, White (G), White (L) and Zoghby.

—37

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 648. To alter or rearrange the boundary lines of the Town of Ariton, Dale County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in Dale County, Alabama.

Was read a third time at length and passed.

Yeas 41; Nays 0.

Yeas:

Reps.: Biddle, Blakeney, Bowling, Box, Brakefield, Brooks, Bryant, Butler, Carter, Clark (D), Clark (W), Cosby, Flowers, Gaston, Grouby, Hammett, Harvey, Holmes, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, McMillan, Marietta, Martin, Mikell, Moore, Newman, Nicholson, Parker, Penry, Poole, Preuitt, Starkey, Starr, Tanner, Turner, White (G), White (L) and Zoghby.

—41



PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 650. Relating to Dale County; to provide for increasing the salary of the probate judge effective October 1, 1984.

Was read a third time at length and passed.

Yeas 37; Nays 0.

Yeas:

Reps.: Adams, Blakeney, Bowling, Box, Brakefield, Brooks, Bryant, Buskey (James), Butler, Carter, Clark (W), Cosby, Flowers, Gaston, Gray, Grouby, Hammett, Harvey, Holmes, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, McMillan, Marietta, Martin, Moore, Nicholson, Parker, Penry, Poole, Reed, Spratt, Tanner, Turner and Zoghby.

—37

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 601. Relating to Bibb County; to amend Act No. 780, H. 1706, Regular Session 1973 (Acts 1973, p. 1195), which act provides for compensation of the sheriff, appointment of deputies, secretaries and jailors, so as to further provide for the salaries of certain members of the sheriff's staff.

Was read a third time at length and passed.

Yeas 44; Nays 0.

Yeas:

Reps.: Adams, Blake, Blakeney, Bowling, Box, Brakefield, Brooks, Buskey (James), Carter, Clark (D), Clark (W), Cosby, Escott, Gaston, Grouby, Hall, Hammett, Harvey, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, McMillan, Martin, Mitchell, Moore, Nicholson, Parker, Penry, Perdue, Poole, Pratt, Preuitt, Reed, Richardson, Starkey, Starr, Tanner, Turner, Warren, White (G), White (L) and Zoghby.

—44

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 607. To amend the title and sections 1, 2, 5, 6, 8, 9, 10, 11, 12, 13 and 15 of Act No. 82-693, H. 57 of the Second Special Session of 1982 (Acts

1982, p. 144) which created and established the Shelby County Planning Commission, so as to provide further for the membership, organization, authority and function of the commission and to specifically repeal section 16 of said act which provided for ratification, validation and approval of Act No. 816 approved September 2, 1965 and actions taken by the Shelby County Planning Commission, officials and electors of the county as of the date they were taken.

Was read a third time at length and passed.

Yeas 46; Nays 0.

Yeas:

Reps.: Adams, Blake, Blakeney, Bowling, Box, Brakefield, Brooks, Bryant, Buskey (James), Buskey (John), Butler, Carter, Clark (D), Clark (W), Gaston, Grouby, Hammett, Harvey, Holmes, Hooper, Johnson (Roy), Kennedy, Kvalheim, Lauderdale, McMillan, Martin, Mikell, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Poole, Preuitt, Reed, Rice, Richardson, Spratt, Starkey, Starr, Tanner, Turner, Warren, White (G) and White (L).

—46

#### PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

#### REPORT OF THE STANDING COMMITTEE ON RULES

Rep. Clark (J), Chairman of the Standing Committee on Rules, reported that said Committee in Session had acted on the following resolutions and ordered same returned to the House with a favorable report:

S. J. R. 185. CREATING A LEGISLATIVE TASK FORCE TO THOROUGHLY STUDY AND CONSIDER ABUSE AND NEGLECT OF CHILDREN IN THE STATE OF ALABAMA, AND TO REQUIRE THAT SAID TASK FORCE SHALL REPORT TO THE LEGISLATURE ITS FINDINGS, CONCLUSIONS AND RECOMMENDATIONS.

On motion of Rep. Martin, the resolution S. J. R. 185, was adopted.

Also:

S. J. R. 223. NAMING THE BRIDGE IN BALDWIN COUNTY OVER THE CANAL BETWEEN LITTLE LAGOON AND THE GULF OF MEXICO, ON ALABAMA HIGHWAY 182, THE "LEE CALLAWAY BRIDGE."

On motion of Rep. Penry, the resolution, S. J. R. 223, was adopted.

Also:

S. J. R. 242. CREATING THE ALABAMA INTERNATIONAL TRADE PROMOTION OVERSIGHT COMMITTEE.

On motion of Rep. Holley, the resolution, S. J. R. 242, was temporarily postponed.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 396. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That immediately upon adoption of this report, the following business in the order named be made the special and paramount order of business for the 30th Legislative Day, Monday, May 21, 1984, taking precedence over any other business of the House and any other pending Special Orders:

<u>Bill No.</u>	<u>Page</u>	<u>Sponsor</u>	<u>Short Title</u>
S. 382	51	Bennett	Hazardous waste; monitoring team
S. 546	46	Hand	Filling vacancies; merit system provisions
S. 79	1	Langford	Primary election date change
S. 147	25	Drinkard	Full-time teachers; 2-week vacations
S. 158	35	Covington	Electric cooperatives act
S. 582	50	Parsons	Municipal elections; date change
S. 98	16	Smith (Jim)	SIR bill; corrects typographical error
S. 275	5	Smith (Jim)	Crime Pkg.; life sentence
S. 446	31	Teague	Municipalities; group insurance benefits
S. 449	40	Amari	Retarded offenders; testing procedures
S. 325	26	Bennett	Kindergartens; educational materials
S. 399	15	Amari	Deceased employee's wages/no probate of will by heirs
S. 452	34	Langford	Retired state employees/teachers; continued group insurance benefits
S. 254	25	Bedford	State parks; revolving fund
S. 388	15	Cooley	Recording pornographic messages
S. 316	6	Mitchem	Emergency secondary education scholarship fund/appropriation
S. 558	47	Bishop	State employees insur. bd; membership
S. 553	30	Hilliard	Municipalities; issue bonds; wharves
S. 554	30	Hilliard	Municipalities; alter water courses
S. 507	35	Foshee	Truck registration fees increased; PSC
S. 50	12	Barron	Soil percolation tests; training program
S. 272	10	Smith (Jim)	Crime pkg.; split sentence
S. 274	11	Smith (Jim)	Crime pkg.; DA's deposition of Bryce Hospital officials authorized
S. 475	45	Figures	Africatown, USA, Historic Park
S. 378	17	Holmes	Fireworks
S. 371	23	Goodwin	Supernumerary sheriffs; prior service

S. 15	32	Holmes	Small Business Procurement System; approp.
S. 82	4	Denton	Nuisance; casting spotlight from vehicle
S. 430	36	Goodwin	Law enforcement survivor's benefits
S. 156	29	Little	Dog-fighting prohibited
S. 73	19	Barron	Non-resident annual & trip fishing licenses
S. 328	29	Bedford	Probate judges; minimum compensation
S. 370	20	Denton	USS ALABAMA BATTLESHIP COMMISSION
S. 121	28	Menton	Commercial fishing licenses; fees increased
S. 479	44	Teague	Guardian ad litem appointment; amends Code
S. 220	38	Foshee	Support Law; foreign order or decree
S. 81	3	Menton	Violation of seafood laws; penalties
S. 283	39	Bailey	Prescription drugs; not controlled substance
S. 163	8	Little	Native farm winery
S. 190	9	Little	Passing school busses; increased penalties
S. 242	48	Bennett	Tannehill Furnace employees; workmen's comp.
S. 72	42	Aldridge	State employees' moving expense
S. 184	14	Ellis	Municipalities; bails set; effective date
S. 159	13	Langford	Codes which may be adopted by ordinance
S. 392	48	Covington	Blood donations; 17 yrs.; without consent
S. 90	11	Cabaniss	Fire losses; reporting in excess of \$500
S. 315	43	Teague	Military service credit; retirement system
S. 235	49	Smith (Jim)	Alabama A & M; Bd. of Trustee's meetings
S. 407	27	Teague	Conveyance of property; Baldwin County
S. 256	5	Hilliard	Creating Ala. Institute of Civil Rights' History
S. 306	3	Hilliard	Creating Ala. Institute of Civil War History
S. 352	16	Hilliard	Ala. Village & Valley Creeks Flood Control Authority
S. 132	24	Langford	OIC; become mbrs. of teachers' retirement system
S. 476	47	Amari	Retirement System; Bd. of Control members increased

- |        |    |               |  |
|--------|----|---------------|--|
| S. 436 | 13 | Bishop        | Banking regulations further provided for                       |
| S. 60  | 18 | deGraffenried | C.A.; repealing certain amdts. to Alabama Constitution of 1901 |
| S. 143 | 41 | Langford      | Voter registration day/annual                                  |
| S. 113 | 21 | Bedsole       | Leave options; educators/legislators                           |

On motion of Rep. Clark (J), the resolution, H. R. 396, was adopted.

S. J. R. 242 ADOPTED

On motion of Rep. Boles, the resolution, S. J. R. 242, which previously was temporarily postponed, was adopted.

SPECIAL ORDER

The House then proceeded with the consideration of the Special Order Calendar.

And the bill:

S. 382. To amend § 22-30-4, Code of Alabama 1975, as amended, relating to the regulatory authority of the state department of environmental management over hazardous waste, so as to provide further for such authority by providing for certain monitoring teams at disposal sites with such teams being financed by levying certain fees on operators of such sites.

Was read a third time at length and passed.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker, Adams, Biddle, Blake, Blakeney, Boles, Bowling, Box, Brakefield, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Butler, Carter, Clark (D), Clark (J), Clark (W), Coburn, Cosby, Crow, Davis, Escott, Faulk, Gaston, Grouby, Harvey, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Lauderdale, Lindsey, McKee, McMillan, Marietta, Martin, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Perdue, Poole, Preuitt, Reed, Rice, Richardson, Rogers, Spratt, Starkey, Starr, Thomas, Trammell, Turner, Venable, Warren, White (F), White (L) and Zoghby.

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RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Flowers:

H. R. 397. CONGRATULATING MR. AND MRS. HENRY McLENDON ON THE OCCASION OF THEIR 50th WEDDING ANNIVERSARY.

SPECIAL ORDER RESUMED

S. 546 TEMPORARILY POSTPONED

On motion of Rep. Holley, the bill, S. 546, was temporarily postponed.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 358. Relating to Houston County; providing for election of the associate members of the county commission from districts to be defined on a population basis by the present commission upon referendum approval by the electors of Houston County.

McDOWELL LEE,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 356. Relating to Lee County; providing that travel expense allowances for members of the county commission shall be the same per mile as those in effect from time to time for state employees.

Also:

H. 482. To authorize the Clay County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county and to prescribe the procedure for levying and collecting such assessments.

Also:

H. 508. Relating to Jefferson County; providing for the salary of the Assistant Tax Assessor payable from the County General Fund.

Also:

H. 509. Relating to Jefferson County; providing for an expense allowance for the Assistant Tax Assessor payable from the County General Fund and for an expiration date.

Also:

H. 510. Relating to Jefferson County; providing for an expense allowance for the Assistant Tax Collector payable from the County General Fund and for an expiration date.

Also:

H. 664. Relating to Escambia County; to provide that Four Million Dollars (\$4,000,000.00) of the proceeds of the oil and gas severance tax paid to Escambia County, Alabama under provisions of Section 40-20-8, Code of Alabama, 1975, as amended, during the fiscal year 1983-84 together with twenty percent (20%) of the annual income thereon each year thereafter beginning with the fiscal year 1984-85 shall become the corpus of a trust and remain the corpus of said trust for a period of twenty years; to provide for the appointment of trustees of the trust; to provide for the investment of the corpus of the trust for the payment of eighty percent (80%) of the investment income thereon into the general fund of Escambia County; and

to provide that the provisions of this Act shall terminate twenty years from the date of its enactment.

Also:

H. 734. Relating to Houston County; to establish a civil service system for Houston County; to provide a policy for the administration of this act; to divide positions in the county into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans for Houston County; to provide that the first members of the personnel board shall be members of the existing personnel appeals board created pursuant to Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), and continued under Act 1049, S. 886, 1973 Regular Session (Acts 1973, p. 1663), and to provide for their successors in office; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain county employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the personnel board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the county; to provide for the expenses of such board; to guarantee certain rights to the governing body of Houston County; and to repeal Act No. 1049, S. 886, 1973 Regular Session (Acts 1973, p. 1663).

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 747. Relating to Limestone County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as the county revenue commissioner; abolishing the offices of tax assessor and tax collector in said county; prescribing the duties and compensation of such commissioner and providing for referendum approval of such consolidation.

Also:

H. 748. Relating to Limestone County; providing that any unencumbered portion of the proceeds of any special county tax levied pursuant to Amendment 125, Constitution of Alabama 1901, can be used, in addition to all other authorized purposes, to defray the expense of indigent health care, to pay obligations of Limestone County pursuant to the Alabama Health

Care Responsibility Act, Sections 22-21-290 through 22-21-297, Code of Alabama 1975, relating to county responsibility and indigent health care, or otherwise to fund indigent health care for Limestone County.

Also:

H. 749. To authorize the Limestone County Commission to provide forest and other acreage protection within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands and other acreage protected by the Alabama Forestry Commission in the county and to prescribe the procedure for levying and collecting such assessments.

Also:

H. 772. Relating to Coffee County; abolishing the position of county license inspector; placing the powers, duties and functions of said office in the sheriff of said county at the end of the current term or when a vacancy occurs in the office; providing for the disposition of fees accruing from the performance of the duties of license inspector and repealing conflicting laws.

Also:

H. 776. Relating to Escambia County; to amend Section 8 of Act No. 565, H. 967 of the 1953 Regular Session of the Alabama Legislature, which relates to privilege licenses, so as to increase the compensation of the inspector employed to assist the Judge of Probate in the enforcement of the provisions of said act.

Also:

H. 779. Relating to Talladega County; authorizing certain county health officers or administrators to issue official death certificates, levy and collect fees therefor; and providing for the distribution of such revenues for county health purposes.

Also:

H. 795. Relating to the City of Clanton in Chilton County; to alter the corporate boundaries so as to include additional lands within the corporate limits; and to provide for a referendum thereon.

Also:

H. 839. Relating to county health officers or administrators in Cherokee County; authorizing such persons to issue official death certificates; providing penalties for violation of this Act; and to provide that fees collected for certain services shall be accounted for and remitted to the treasurer of the county board of health or like official for custody subject to disbursement in the interest of health services in the county.

Also:

H. 845. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Fairhope in Baldwin County.

McDOWELL LEE,  
Secretary.

SPECIAL ORDER RESUMED

And the bill:

S. 79. To amend Section 17-16-6, Code of Alabama 1975, which re-



lates to the time and place for holding primary elections, except special primary elections and presidential preference primaries, so as to provide that primary elections shall be held on the first Tuesday in June, and a runoff election, if necessary, shall be held on the fourth Tuesday thereafter, effective June 5, 1985, and thereafter.

Was taken up.

MOTION TO POSTPONE TABLED

On motion of Rep. Johnson (Roy), the motion offered by Rep. Carothers to temporarily postpone consideration of the bill, S. 79, was tabled.

Yeas 51; Nays 31.

*Yeas:*

Mr. Speaker, Albright, Blake, Blakeney, Boles, Bowling, Box, Browder, Bryant, Bugg, Burke, Buskey (John), Campbell, Clark (J), Coburn, Crow, Davis, Escott, Flowers, Grayson, Harvey, Hettinger, Holley, Horn, Johnson (Roy), Junkins, Kennedy, Lauderdale, McDowell, Marietta, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Reed, Rice, Richardson, Rogers, Spratt, Tanner, Trammell, Turner, Warren and Zoghby.

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*Nays:*

Reps.: Adams, Bachus, Brakefield, Brooks, Buskey (James), Carothers, Cosby, Dutton, Faulk, Gaston, Gray, Grouby, Hall, Hammett, Harper, Hooper, Johnson (R.G.), Kvalheim, Laird, Lindsey, McKee, McMillan, Mikell, Payne, Penry, Preuitt, Sasser, Starr, Venable, White (G) and White (L).

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REPORT OF THE STANDING COMMITTEE ON RULES  
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs to leave to report that it has examined the following House Bills, to-wit:

H. 9. To provide for branch banking in Pickens County.

Also:

H. 43. Relating to Chilton County; to provide for an additional expense allowance for the county coroner.

Also:

H. 127. Relating to Washington County; providing further for the compensation of members of the county commission; prescribing that the members of the Washington County Commission, except the chairman, shall serve full time as such officers; providing for all fees, commissions or other charges heretofore collected and paid into the county general fund; specifically repealing Act No. 79-181, H. 311, Regular Session 1979 (Acts 1979, p. 291), Act No. 83-585, H. 38, Regular Session 1983, only to the extent these relate to the expense allowances and salary of the members of Washington County Commission, except the chairman, and all laws or parts

of laws which provide expense allowances, salary or other compensation for said members are hereby repealed; and providing for an effective date.

Also:

H. 128. Relating to Washington County; to provide that the sheriff shall be entitled to the allowances payable by the State, county or municipalities for feeding prisoners housed in the Washington County Jail; and to provide that the provisions of this Act shall be retroactive to January 18, 1983.

Also:

H. 129. Relating to Washington County; to provide for the rehabilitation of certain persons, both male and female, convicted of certain types of crimes and sentenced to a term of confinement in certain jails in the county, and providing for a rehabilitation board to supervise and administer the rehabilitation processes of this Act; to provide further for the carrying out of the provisions of this Act.

Also:

H. 131. Relating to Randolph County; to provide for an optional system of motor vehicle tag and decal purchasing by mail; to authorize an additional fee for mailing tags; to provide for the disposition of such fees; to provide that the county commission shall provide such necessary space, personnel, equipment and supplies; and to provide retroactive effect to January 1, 1983.

Also:

H. 175. To provide for purging the lists of registered voters in Taladega County; requiring and prescribing the procedure for the reidentification of registered voters; placing certain duties on the board of registrars, judge of probate and the county governing body relative to the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Also:

H. 674. Relating to Jackson County; providing for an appropriation for the relief of Mr. Willie Dean Mount and providing for a retroactive effect.

Also:

H. 750. Relating to Limestone County; authorizing the Limestone County Board of Health to annually fix a schedule of fees for services rendered pursuant to the duties with which the board is charged; to provide for the annual examination and approval of such fee schedules by the county commission; to authorize the exemption of certain persons from paying said fees; to authorize the county board of health to promulgate rules and regulations proper for the administration of this act.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES  
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 606. Relating to Escambia County; amending Section 3 of Act No. 82-305, S. 484, relating to providing supplemental fee allowances for constables and providing additional court costs, so as to provide for an allocation to the Escambia County Juvenile Fund and to provide for the authority of the County Juvenile Court Judge to expend such funds.

Also:

H. 607. Relating to Escambia County; amending Sections 1 and 2, Act No. 82-744, H. 105, 1982 Second Special Session (Acts 1982, First, Second and Third Special Sessions, p. 215), providing for the payment, use and distribution of net monies received by the county from severance and privilege tax on oil or gas under local law, including funds received pursuant to Sections 40-20-1 through 40-20-13, Code of Alabama 1975, so as to provide further for the distribution of such proceeds and to include the funds pursuant to Act No. 83-889, H. 26, Fourth Special Session 1983, relating to revenues from submerged lands; and providing retroactive effect.

Also:

H. 620. Relating to Etowah County; authorizing certain county health officers or administrators to issue official death certificates, levy and collect fees therefor; and providing for the distribution of such revenues for county health purposes.

Also:

H. 622. Relating to Etowah County; authorizing certain officials to use mechanical or facsimile devices for signatures on warrants or checks drawn on the county treasury or depository.

Also:

H. 636. Relating to Walker County; providing an additional expense allowance for the coroner.

Also:

H. 643. Relating to St. Clair County; providing for the filing for record and the preservation of all orders and decrees made and entered by any judge of the circuit court in St. Clair County.

Also:

H. 705. To authorize the Marion County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county and to prescribe the procedure for levying and collecting such assessments.

Also:

H. 737. Relating to Washington County; providing for an expense allowance, payable from the county general fund, for the Circuit Clerk of the county; specifically repealing Act No. 81-177, H. 618, Regular Session 1981 (Acts 1981, p. 202), and repealing conflicting laws, all relating to the compensation of the Circuit Clerk of Washington County; providing that such expense allowance shall be calculated on a certain percentage of the state compensation for such official.

Also:

H. 774. Relating to Coffee County; providing further for the compensation of the sheriff.

Also:

H. 775. Relating to Coffee County; providing for an expense allowance payable from the general fund of the county treasury for the probate judge; and providing further for the compensation of such official.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 40. To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Etowah County, Alabama.

Also:

H. 210. To authorize the Pickens County Board of Health to designate the services rendered by the Pickens County Health Department for which a reasonable fee may be charged. The Pickens County Board of Health is further required to set a maximum fee for each service. The Pickens County Health Department may charge and collect such fees. No citizen shall be deprived of any service because that person is unable to pay.

Also:

H. 239. Relating to Greene County; to provide for the distribution of the tax revenue imposed by the exclusive statewide uniform local tax on beer, to provide for the use of said tax and for the collection and administration thereof, including retirement of debt service or making lease payments to a public corporation (or a combination thereof) for a new Greene County Courthouse, renovating the existing County Courthouse, construct-

ing a new County jail and renovating the existing County jail (or and combination thereof).

Also:

H. 246. Relating to Pike County; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1983.

Also:

H. 247. Relating to Pike County; to authorize all county law enforcement officers and the municipal law enforcement officers within Pike County to enforce the state's illegal waste dumping statutes to the same extent as Pike County health authorities are empowered to enforce such laws.

Also:

H. 351. To make appropriations for the support and maintenance of the Lyman Ward Military Academy for the fiscal year ending September 30, 1985.

Also:

H. 360. To make appropriations for the support and maintenance of the Tuskegee Institute for the fiscal year ending September 30, 1985.

Also:

H. 387. Relating to Marion County, to provide further for the compensation of the coroner.

Also:

H. 399. Relating to Lawrence County; to amend Act No. 79-84, H. 48, 1979 Regular Session (Acts 1979, p. 109), which act provides for an expense allowance for the county coroner, so as to provide further for said allowance.

Also:

H. 417. To levy a finance charge or a tax of ten cents per acre to be assessed against lands located in Pickens County, Alabama, which are used for timber growing purposes, to provide protection against forest fires, insects, disease and other pests within Pickens County; to provide for a referendum on the question and prescribing the procedure for the collection of such assessments.

Also:

H. 458. Relating to Sumter County; to repeal Act No. 83-66, H. 21, 1983 First Special Session, approved February 2, 1983, relating to employment by the sheriff of deputies sheriff and a secretary.

Also:

H. 474. Relating to Wilcox County; to give the county commission certain powers in regard to constructing and maintaining roads and rights-of-way leading to private dwellings.

Also:

H. 528. Relating to Sumter County; to amend Section 2 of Act No. 176, H. 656, Regular Session 1973 (Acts 1973, p. 217), as amended, which relates to expense allowances of the members of the county commission, so

as to further provide for such expense allowances and to provide for its retroactive effect.

Also:

H. 531. Relating to Etowah County, requiring the county to continue paying health insurance premiums for a certain period of time for certain employees laid off due to insufficient funds.

Also:

H. 555. To provide for a special recording fee, in addition to all existing recording fees and charges for documents hereafter filed for record in Pickens County; and to prescribe the use thereof.

Also:

H. 559. To provide an annual supplemental salary for the Judge of the District Court of Chambers County.

Also:

H. 569. To levy a finance charge of ten cents per acre on forest lands located in Winston County, Alabama, which are used for timber growing purposes, to provide protection against forest fires within Winston County; to provide for a referendum on the question; and prescribing the procedure for the collection of such assessments.

Also:

H. 587. Relating to Butler County; providing an additional expense allowance for the county coroner; and to specifically repeal Act # 213, Acts of Alabama, Regular Session, 1951, page 475.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 542. To make an appropriation from the Alabama Special Educational Trust Fund to Tuskegee Institute for capital outlay for the General Daniel "Chappie" James Center for Aerospace Science and Health Education for the fiscal year ending September 30, 1984.

Also:

H. 595. Relating to exemptions from the payment of state, county and municipal ad valorem taxes, so as to exempt the Presbyterian Apart-

ments of Birmingham, Inc., the Presbyterian Homes of Decatur, Inc., the Shoals Presbyterian Apartments, Inc., the Presbyterian Apartments in Northport, Alabama, and the East Alabama Services for the Elderly, Inc., a nonprofit corporation in Lee County, Alabama, the Mayfair Towers Corporation in Huntsville, Alabama or any predecessor organization or entity, from the payment of such state.

Also:

H. 714. Relating to Lamar County; to amend Section 1 of Act No. 82-511, H. 796, of the 1982 Regular Session so as to provide that twenty-five percent of all funds accruing to Lamar County from the oil and gas privilege tax pursuant to Sections 40-20-1 through 40-20-13 of the Code of Alabama 1975, shall be transferred to the county board of education; and to provide that the funds so transferred shall be spent by the county board of education for capital improvement.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 439. To provide a fifteen percent or other cost-of-living increase for certain personnel in public education for the fiscal year ending September 30, 1985.

Also:

H. 816. To provide, in addition to benefits now received, a graduated percentage cost-of-living increase to all probate judges retired under the Judicial Retirement Fund of Alabama, prior to October 1, 1983; and to provide for the repeal of conflicting laws.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 850. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Pollard in Escambia County.

Also:

H. 857. To alter, rearrange and extend the boundary lines and corporate limits of the City of Oxford in Calhoun County.

Also:

H. 855. Relating to Baldwin County, authorizing the county commission to appropriate money or equipment to certain duly organized, established and approved search and rescue squads or units.

Also:

H. 858. Relating to Baldwin County; further providing that the county commission of Baldwin County is hereby authorized to appoint real estate agents or other persons in the real estate field to the Baldwin County Planning Commission, to provide that the real estate agents or persons in the real estate field shall not exceed 25 percent of the composition of the Baldwin County Planning Commission, and giving this act retroactive effect.

Also:

H. 859. Relating to the twenty-eighth judicial circuit in Baldwin County; granting certain law enforcement authority to investigators of the district attorney's office and allowing court bailiffs and employees of the district attorney's office to attend grand jury sessions except when said jury is deliberating.

Also:

H. 861. Relating to Randolph County; to provide for the mailing addresses of the grantees to appear on all conveyances of real property recorded in the probate office of such county.

Also:

H. 862. Relating to county health officers or administrators in Cleburne County; authorizing such persons to issue official death certificates; providing penalties for violation of this Act; and to provide that fees collected for certain services shall be accounted for and remitted to the treasurer of the county board of health or like official for custody subject to disbursement in the interest of health services in the county.

Also:

H. 867. To alter or rearrange the boundary lines of the City of Albertville, Marshall County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Marshall County, Alabama.

Also:

H. 885. Relating to the city of Muscle Shoals; and to provide further



for the compensation of the members and chairman of the Utilities Board of the City of Muscle Shoals.

Also:

H. 889. Relating to Chambers County; to provide further for the salary of the coroner.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 909. Relating to the 3rd Judicial Circuit of Alabama; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

Also:

H. 911. Relating to Coffee County; providing for a supplement to the compensation of the circuit clerk in Coffee County beginning October 1, 1985, and payable from the general fund of the county.

Also:

H. 917. Relating to Houston County; providing further for the compensation of poll workers.

Also:

H. 922. Relating to Chilton County; authorizing the county commission to enter contracts for computerized record keeping and filing.

Also:

H. 927. Relating to Chambers County; amending Act No. 80-418, H. 979, 1980 Regular Session, which provides for license fees on mobile homes, so as to provide further for the distribution of said fees.

Also:

H. 929. Relating to Bullock County; providing for the compensation of the Judge of Probate retroactively to January 1, 1983.

Also:

H. 931. To propose an amendment to the Constitution of Alabama of 1901, to extricate the judge of probate in Macon County, Alabama, from a certain age restriction on eligibility to hold such office.

Also:

H. 932. Relating to Bullock County; to legalize the sale of draft or keg beer or malt beverages.

McDOWELL LEE,  
Secretary.

## MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 821. Relating to Cullman County; authorizing a procedure whereby the sheriff is authorized to offer for public auction to the highest bidder for cash abandoned and stolen personal property which has been recovered by the sheriff's department of the county and stored by said department but which has been unclaimed after six (6) months; providing that such auctions are to be made after notice of the time and place thereof shall have been given publication once a week for two weeks in a newspaper of general circulation published in Cullman County, or by posting in a conspicuous place at the county courthouse; providing that the first publication or posting of said notice shall be twenty days before the said auction; providing a procedure for the conduct of said auction; providing that the owner of any of the abandoned or stolen property recovered and stored by the sheriff may redeem the same at any time prior to its sale by paying any reasonable storage or maintenance costs incurred and a pro rata cost of publication and further providing that after deducting and paying all expenses incurred in storing or auctioning the said property, all proceeds from the sale of said property shall be paid into the general fund of the county.

Also:

H. 822. Relating to Cullman County; to provide for a special recording fee on documents filed in the office of the judge of probate; to provide that such special recording fee be used for the purpose of acquiring and maintaining electronic data processing equipment for the office of the judge of probate.

Also:

H. 825. Relating to selling and redeeming lands for taxes in Cullman County, Alabama.

Also:

H. 826. Relating to Blount County; authorizing certain county health officers or administrators to issue official death certificates, levy and collect fees therefor; and providing for the distribution of such revenues for county health purposes.

Also:

H. 836. Relating to county health officers or administrators in Walker County; authorizing such persons to issue official death certificates.

Also:

H. 863. To amend the Title and Section 4 of Act No. 80-572, S. 576 (Acts 1980, p. 885), said act relating to Lowndes County and the additional levy of tax on persons, firms and corporations selling and distributing or delivering malt or brewed beverages to retailers, so as to provide further for the administration of the Juvenile Services Trust Fund Account.

Also:

H. 891. Relating to Morgan County; to alter, rearrange and extend the boundary lines and corporate limits of the Town of Flint City.

Also:

H. 892. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Trinity, in Morgan County.

Also:

H. 894. Relating to the City of Athens; authorizing the governing body of such municipality to adopt ordinances to provide for the protection of the historic character of the City of Athens; and providing for a Historic Preservation Commission.

McDOWELL LEE,  
Secretary.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 116. Relating to Mobile County; to provide for a referendum election to determine whether the Mobile County Commission shall provide for a leash law in the unincorporated areas of the county; to empower the county commission to adopt and enforce such leash law contingent upon such referendum approval by the qualified electors of the county and to provide that the county commission may contract with an incorporated municipality in the county for enforcement of such law.

Also:

H. 383. To allow the Mobile County Commission, at their discretion, to grant an expense allowance to the Circuit Clerk, the County Administrator of Estates and the Circuit Register of the Thirteenth Judicial Circuit, Mobile County, Alabama, beginning in 1984.

Also:

H. 459. Relating to Geneva County; providing that a \$1,000.00 damage bond must be posted with the Geneva County governing body before any house or building is moved on any public road within Geneva County, Alabama.

Also:

H. 610. Relating to Mobile County; providing for the compensation and payment of salary of the members of the county governing body.

Also:

H. 700. To authorize Madison County, Alabama, to provide for the forfeiture of devices and weapons used in the commission or attempted commission of any crime against a person; to provide for the forfeiture of devices or weapons upon the conviction of a person of the crime of carrying a concealed weapon; to provide for the forfeiture of any device or weapon denominated as unlawful under the laws of the state or which is found on or about the person of any person who is prohibited by law from carrying or possessing said device or weapon; and to provide for the forfeiture of any device or weapon which is abandoned or otherwise found and the lawful owner cannot be located; and to exempt motor vehicles from the provisions of the act. To further provide for the disposition of said devices or weapons by the District Attorney by means of destruction, sale, or use for historical,

instructional, or law enforcement upon court order and to exempt devices or weapons which are found to be stolen or otherwise wrongfully possessed and the lawful owner is located.

Also:

H. 713. Relating to Madison County; to exempt from all county and local ad valorem taxes all property owned and used by the Mayfair Towers Corporation, a Huntsville, Alabama, corporation.

Also:

H. 720. Relating to law enforcement in Houston County; to amend Sections I, II and III of Act No. 671, 1967 Regular Session (Acts 1967, p. 1495), relating to the issuance of pistol permits in Houston County, so as to provide further for permit fees, distribution of such fees and issuance of such permits.

Also:

H. 804. To amend further Section 3 of Act No. 107, H. 150, 1st Special Session of 1956, Acts of Special Sessions 1956, p. 154, creating and providing for in the City of Prichard, Alabama a special fund to be known as "The Municipal Employees Pension and Relief Fund" so as to provide for the eligibility of certain city officials to be included in such pension and relief system.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 400. Relating to Lawrence County; to provide that the sheriff shall be entitled to the allowances payable by the State, counties and municipalities for feeding prisoners; and to provide that the provisions of this Act shall have retroactive effect.

Also:

H. 529. Relating to Shelby County; to amend Section 8 of Act No. 82-771, S. 93, 1982 Second Special Session, (Acts 1982, 2nd Special Session, p. 262), which created the Shelby County Planning Commission, so as to provide that the election be held in each beat on whether or not the authority of the commission, its master plan and zoning regulations shall apply to such beat may not be held any more often than once every two years.

Also:

H. 637. Establishing the powers and authority and requirements of district attorney's investigators of the fourteenth judicial circuit of Alabama.

Also:

H. 694. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Geiger in Sumter County.

Also:

H. 808. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Fairhope in Baldwin County.

Also:

H. 820. Relating to Cullman County; authorizing any town or municipality in said county to regulate the business hours of game and billiard rooms either by ordinance, rule or regulation or by license fees.

McDOWELL LEE,  
Secretary.

### S. 79 RESUMED

#### MOTION TO INDEFINITELY POSTPONE LOST

The motion offered by Rep. Gray to indefinitely postpone the bill, S. 79, was lost.

Yeas 29; Nays 59.

*Yeas:*

Reps.: Bachus, Beers, Brakefield, Brooks, Buskey (James), Carothers, Cosby, Dutton, Faulk, Gaston, Gray, Hall, Hammett, Harper, Hooper, Johnson (R.G.), Kvalheim, Laird, Lindsey, McKee, McMillan, Mikell, Payne, Penry, Sasser, Seibels, Starr, White (G) and White (L).

—29

*Nays:*

Mr. Speaker, Adams, Albright, Black, Blake, Blakeney, Boles, Bowling, Britnell, Bryant, Bugg, Burke, Buskey (John), Butler, Campbell, Carter, Clark (D), Clark (J), Coburn, Coleman, Davis, Escott, Flowers, Fuller, Harvey, Hettinger, Holley, Holmes, Horn, Johnson (Roy), Junkins, Kennedy, Lauderdale, McDowell, Marietta, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Perdue, Poole, Pratt, Reed, Rice, Richardson, Rogers, Spratt, Starkey, Tanner, Thomas, Trammell, Warren, White (F) and Zoghby.

—59

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 860. Relating to Baldwin County; providing for a referendum on the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner; providing for the compensation of such official; repealing conflicting laws; providing for filing of candidates for county revenue commissioner and an election therefor; and providing for its effectiveness.

Also:

H. 882. Relating to Macon County; providing for election of the members of the county board of education from certain districts which shall be the same as those districts served by county commissioners.

Also:

H. 915. Proposing an amendment to the Constitution of 1901, relating to additional ad valorem tax in Wilcox County.

Also:

H. 926. Relating to Wilcox County; to provide reasonable compensation for the Wilcox County School Board Members.

Also:

H. 935. To amend Section 8 of Act No. 83-532, H. 609, Regular Session 1983 (Acts 1983, p. 827), which act levies an additional sales tax in Baldwin County, so as to provide further for the distribution of a certain portion of the proceeds of said tax so as to provide for the leasing or building and operation of a home for juveniles through the juvenile court of Baldwin County.

Also:

H. 937. Relating to Baldwin County; granting to the county commission certain power and authority relative to public improvements in certain areas lying outside the corporate limits of any municipality in such county; providing for the assessment against the property benefited thereby of the cost and expenses of materials used in the performance of services relative to such public improvements if said improvements are approved by  $\frac{2}{3}$  of property owners affected; authorizing, providing for and regulating hearings relative to such assessments and appeals therefrom; providing for the collection of such assessments by the Baldwin County tax collector; investing the Baldwin County Commission with the same powers and authority relative to the collection of improvement assessments and liens therefor had by municipalities relative to municipal improvement assessments; providing that this act is cumulative to other laws relative to the authority, powers and duties of the Baldwin County Commission.

Also:

H. 970. To authorize the Talladega County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 762. Relating to Madison County; providing further for the compensation of the directors and officers of the airport authority.

Also:

H. 840. To levy a finance charge of ten cents per acre to be assessed against lands in Hale County, Alabama, which are used for timber growing purposes; to provide protection against forest fires, insects and disease

within Hale County; to provide for a referendum on the question; and to prescribe the procedure for the collection of such assessments.

Also:

H. 851. Relating to Pike County; prohibiting private agencies, private groups, private corporations, partnerships, private associations, individuals, and any and all other private entities from establishing, maintaining, or operating a correctional, rehabilitation, or juvenile detention facility in Pike County without first obtaining the approval of the county commission.

Also:

H. 880. Relating to Macon County; to provide for a secretary-office manager for the county legislative delegation; to provide office space for said official.

Also:

H. 883. Relating to Macon County; providing further for the deposit and disposition of fees and charges collected by the Judge of Probate of Macon County, pursuant to Act No. 81-584, H. 978, 1981 Regular Session (Acts 1981, p. 969) and Act No. 81-588, H. 1007, 1981 Regular Session (Acts 1981, p. 973), which acts relate to costs for recordings and filings of petitions, so as to provide all such funds shall be deposited to the probate office to be expended for purposes of the probate office, as determined in the sole discretion of the judge of probate; and making the provisions of this act retroactive to May 17, 1981.

Also:

H. 884. Relating to Macon County; providing for a full-time chairman at the discretion of the county commission until the general election of 1986; providing that in 1986 such chairman shall be elected at-large from the county; authorizing the county commission to set the salary of the chairman within a certain limit and authorizing the chairman to employ an administrative assistant within a certain salary range and other necessary personnel.

Also:

H. 886. Proposing an amendment to the Constitution of 1901; relating to legalizing the operation of bingo games for prizes or money by certain non-profit organizations for charitable or educational purposes in Macon County.

Also:

H. 890. An Act, to alter, re-arrange and extend the boundaries and corporate limits of the City of Pelham, Alabama, so as to incorporate certain territory as described herein.

Also:

H. 908. To provide for an expense allowance for the Sheriff of Calhoun County, Alabama.

McDOWELL LEE,  
Secretary.

## S. 79 RESUMED

## AMENDMENT OFFERED

Rep. Brooks offered the following amendment to the bill, S. 79:

Amend S. B. 79, by striking each time it appears, the word "June" and substituting therefore the following: "July"

## AMENDMENT TABLED

On motion offered by Rep. Johnson (Roy), the amendment offered by Rep. Brooks to the bill, S. 79, was tabled.

Yeas 55; Nays 25.

*Yeas:*

Mr. Speaker, Black, Blake, Boles, Bowling, Box, Britnell, Browder, Bryant, Bugg, Burke, Buskey (John), Butler, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Crow, Davis, Escott, Flowers, Fuller, Goodwin, Harvey, Holley, Holmes, Horn, Johnson (Roy), Junkins, Kennedy, Lauderdale, McDowell, Mathis, Melton, Mitchell, Moore, Newman, Nicholson, Parker, Penry, Poole, Pratt, Rice, Richardson, Rogers, Spratt, Starkey, Tanner, Thomas, Trammell, Warren, White (F) and Zoghby.

—55

*Nays:*

Reps.: Adams, Bachus, Beers, Brooks, Carothers, Cosby, Gaston, Gray, Hall, Hammett, Harper, Hooper, Johnson (R.G.), Kvalheim, Laird, Lindsey, McKee, McMillan, Mikell, Sasser, Seibels, Starr, Venable, White (G) and White (L).

—25

## AMENDMENT OFFERED

Rep. Brooks offered the following amendment #2 to the bill, S. 79:

Amend Senate Bill 79, Section Preamble, Page 1, Line 15, after the word "June," by striking the following:

and a run-off election, if necessary, shall be held on the fourth Tuesday thereafter

And striking the following, on page 1, line 25, after the word "June";

"When necessary, as provided in this Chapter, a second or run-off primary election shall be held on the fourth Tuesday next thereafter following said primary election. Any second primary shall be held by the same election officers who held the first primary, and be held at the same places as the first primary election.

## AMENDMENT TABLED

On motion of Rep. Johnson (Roy), the amendment #2 offered by Rep. Brooks to the bill, S. 79, was tabled.

Yeas 53; Nays 11.

*Yeas:*

Mr. Speaker, Adams, Albright, Blake, Boles, Bowling, Box, Brakefield, Britnell, Browder, Bryant, Burke, Buskey (John), Butler, Campbell, Carter,



Clark (D), Clark (J), Coburn, Coleman, Crow, Davis, Escott, Flowers, Fuller, Goodwin, Harvey, Holley, Holmes, Horn, Johnson (Roy), Junkins, Kennedy, Lauderdale, McDowell, Melton, Moore, Newman, Nicholson, Parker, Perdue, Poole, Pratt, Richardson, Rogers, Spratt, Starkey, Tanner, Thomas, Trammell, Venable, Warren and Zoghby.

—53

*Nays:*

Reps.: Bachus, Black, Brooks, Carothers, Cosby, Laird, McKee, McMillan, Mikell, Sasser and Starr.

—11

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 936. Relating to Baldwin County; amending Act No. 81-99, S. 31, 1981 Regular Session, which provides for the compensation of the members of the board of registrars, so as to increase said compensation.

Also:

H. 941. To provide for the filing for record and the preservation of all orders and decrees made and entered by any Judge of the Circuit Court of the 32nd Judicial Circuit.

Also:

H. 979. Relating to Colbert County; providing further for the redemption of real property and lands subject to delinquent tax sales, pursuant to Title 40, Chapter 10, Code of Alabama 1975, so as to transfer to and authorize the county tax collector to perform and have the responsibilities and powers therein prescribed for the county treasurer.

Also:

H. 981. Relating to Baldwin County and the term of office for county commissioners; and repealing conflicting laws.

Also:

H. 984. Relating to the election of County Commissioners in Conecuh County; to provide for the redistricting and reapportionment of the electors in Conecuh County; to provide for dividing Conecuh County into four (4) single-member Commissioner's Districts in 1984, and into five (5) single-member Commissioner's Districts beginning in 1988; to provide for the election of a Commissioner in each of said districts; to provide for the tenure of office of the Commissioners; to provide the compensation of the Commissioners so elected; to provide for the division and assignment of the voters in all the Precincts and Voting Boxes in the county; to provide methods and procedures for effecting the assignment of the voters; to provide for the repeal of Act No. 2284 Regular Session of the 1971 Legislature and other laws inconsistent herewith; to provide for the payment of all expenses in connection with passage of this legislation and the assignment of voters in the proper Precincts and Voting Boxes in the county; and to provide that the provisions of this Act shall become effective immediately upon its passage.

Also:

H. 985. To amend the title and Section 1 of Act No. 384, H. 829, Regular Session 1953 (Acts 1953, p. 455), which prohibits two members of the board of education of Conecuh County from residing in the same beat or precinct, so as to provide for two at-large appointed seats on the board for two years only, from 1984 to 1986, and to provide for the election of all school board members from five single-member districts beginning in 1986, with their terms running concurrently.

Also:

H. 311. To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939 (Local Acts 1939, page 298), which creates and establishes the County-wide Civil Service System in Mobile County, as amended by Act No. 684, H. 594 of the Regular Session of 1976 (Acts of Alabama 1976, page 939), so as to delete the Presiding Judge of the Circuit Court and the Presiding Judge of the District Court, automatic members of the Supervisory Committee of the Mobile County Personnel Board, and to provide for the election of a Chairman of the said Supervisory Committee.

Also:

H. 412. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901 authorizing Mobile County under certain conditions to issue its general obligation bonds for the purpose of refunding any one or more issues of Outstanding Securities (as defined herein), to be additionally secured by a pledge of the special ad valorem tax provided for in Amendment XVIII to said Constitution, as amended; authorizing Mobile County to apply proceeds of the Special Tax (as defined herein), whether or not any such bonds are issued, for payment of the Outstanding Securities; providing that none of the said bonds shall be chargeable against the limitation on the indebtedness of Mobile County contained in Section 224 of said Constitution and specifying certain details pertaining to the said bonds and leases.

Also:

H. 633. Relating to the Tenth Judicial Circuit, Bessemer Division; effective upon the expiration of the present term of office, the elected deputy district attorney shall serve a six year term of office.

Also:

H. 788. Relating to the City of Birmingham in Jefferson County; to further amend Section 4.06(9) of Act No. 452, of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, pp. 1004, et seq.), as amended, also known as the Mayor-Council Act of 1955, so as to provide, in addition to staff otherwise provided by law, for such staff members as the Mayor may deem necessary not subject to any merit system, to provide that the salaries of such staff assistants shall be determined by the Mayor, and to prohibit members of the Mayor's staff from running for elected office while serving on said staff.

Also:

H. 870. Relating to Mobile County; providing that retired employees of the county health department shall be granted certain cost of living pension increases whenever retired state employees are granted such pension increases.

Also:

H. 916. Relating to Mobile County; providing further for the use of a certain portion of monies accruing to Mobile County pursuant to Act No. 84-186, H. 182, 1984 Regular Session (Acts 1984, p. \_\_\_\_), relating to license taxes and registration fees on trucks and truck tractors.

Also:

H. 823. Providing full-time status for the associate county commissioners of Cullman County; providing certain salaries for such commissioners and prescribing realms of responsibility relating to the county road program for such commissioners.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 801. To amend Section 1 of Act No. 708, H. 1078, Regular Session 1978, (Acts 1978, p. 1021) entitled, "An Act To authorize and provide for the establishment, maintenance, equipping, operation and financing of a public law library in Hale County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county," so as to increase the law library fees taxed as items of court costs.

Also:

H. 928. Relating to Marion County; prescribing that the offices of the chairman and associate members of the county governing body shall be full time and receive the salary compensation as such full time commissioners as now provided by local law.

Also:

H. 954. Relating to Escambia County; to further amend Section 1 of Act No. 225, H. 204, Special Session of the Legislature 1965 (Acts 1965 Special Session, p. 306), as last amended, relating to the compensation of the members of the board of education of Escambia County, so as to increase said compensation.

Also:

H. 955. Relating to Escambia County; providing that the Chairman of the Escambia County Commission shall serve full time as such officer.

Also:

H. 958. Relating to Etowah County; to provide for the filing for record and the preservation of all orders and decrees made and entered by any judge of the circuit court.

Also:

H. 976. Relating to Elmore County; to authorize the county commission to pay a mileage allowance to the license inspector not to exceed the allowance paid other county employees, retroactively effective to January 1, 1978.

Also:

H. 982. Relating to Houston County; amending Act No. 718, H. 1513, 1971 Regular Session, which provides for the compensation of the board of equalization, so as to provide further for said compensation.

Also:

H. 956. Relating to Montgomery County; to further provide for the supplemental salary payable from the county to district court judges.

Also:

H. 965. Relating to Morgan County; to authorize the Morgan County Commission to pay the actual cost of replacing any clothing or equipment of a deputy sheriff, probation officer of juvenile detention officer of the county that is damaged or destroyed while such officer is engaged in the performance of his official duties and acting within the line and scope of his authority.

Also:

H. 966. Relating to Morgan County; to authorize the Morgan County Commission to enter into contract providing for the Sheriff of Morgan County to furnish police protection within a municipality of the county on a contract basis. To further authorize municipalities entering into such a contract police agreement to pay over to the county treasurer monies sufficient to reimburse the county treasury for expenditures necessary to provide said contract policing.

Also:

H. 967. Relating to Morgan County; to amend Section 1 of Act No. 733, S. 811, Regular Session 1977 (Acts 1977, p. 1279) which regulates the compensation of members of the county board of registrars, so as to provide further for such compensation and to specifically repeal Act No. 622, H. 1108, 1981 Regular Session (Acts 1981, p. 1036).

Also:

H. 977. Relating to Marshall County; to further regulate the appropriation and distribution of Tennessee Valley Authority funds paid in-lieu-of-taxes; making certain provisions retroactive to April 1, 1984; and specifically providing that the provisions of this act shall be cumulative.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 934. Relating to Dale County; redistricting the county for purposes of electing members of the county commission and providing for the election of county commissioners on such district basis.

Also:

H. 953. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Valley Head in DeKalb County.

Also:

H. 971. To amend Section 3 of Act No. 983, H. 1019, of the 1971 Regular Session (Acts 1971, p. 1759), which further regulates the possession, sale, storage, transportation, use and consumption of alcoholic beverages in Elmore County, so as to provide further for such regulation by deleting the requirement of a certain special retail license for such beverages and to provide that such deletion shall be retroactive to September 7, 1971.

Also:

H. 972. Relating to Elmore County; to amend Section 2 of Act No. 388, H. 979, 1978 Regular Session (Acts 1978, p. 375), relating to compensation of the deputies of the sheriff's department, so as to provide further for such compensation and to provide for retroactive effect.

Also:

H. 973. Relating to Elmore County; to provide for the election of members of the county commission, to define new districts and to repeal certain conflicting law.

Also:

H. 974. Relating to Elmore County; providing further for the compensation, payable from the county treasury, for members of the county commission and an effective date therefor; specifically repealing Act No. 1779, H. 1732 of the 1971 Regular Session (Acts 1971, p. 2942) and Section 2 of Act No. 235, H. 945 of the 1975 Regular Session (Acts 1975, p. 761), relating to salary and expense allowances for members of the commission, and all laws conflicting herewith.

Also:

H. 975. Relating to Elmore County; providing further for the compensation of the members of the board of registrars and to provide for retroactive effect.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 675. To relate to the City of Birmingham in Jefferson County, Alabama; to amend Sections 3.01, 3.03, 3.12 and 4.01 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, Page 1004), providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, so as to provide that both the Mayor and Council shall take office on the second Tuesday in November of the year of their election; and to further provide that the first meeting of each newly elected council shall be held on the second Tuesday in November of the year of its election.

Also:

H. 841. Relating to the City of Birmingham in Jefferson County; to further amend Section 3.07 of Act No. 452 of the Regular Session of the

Legislature of Alabama of 1955 (Acts of 1955, pp. 1004, et seq.), as amended, also known as the Mayor-Council Act of 1955, so as to provide that the City Council may employ on behalf of said City such employees as said Council may deem necessary to assist the Council, and to provide conditions for inclusion in the general pension system of the municipality.

Also:

H. 942. Relating to the City of Cullman in Cullman County; to validate, in certain cases, annexations heretofore held by the City of Cullman.

Also:

H. 943. Relating to Cleburne County; to create a license-issuing division within the probate judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the probate judge's office; and to transfer certain duties now performed by the tax assessor and tax collector to said probate office.

Also:

H. 948. Relating to the fees and expense allowances for the Coroner of Henry County, Alabama, payable from the county treasury; and making such fees and expense allowances retroactive to October 1, 1983.

Also:

H. 950. To provide for the City of Weaver in Calhoun County, a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the city's defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

McDOWELL LEE,  
Secretary.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 772. Relating to Coffee County; abolishing the position of county license inspector; placing the powers, duties and functions of said office in the sheriff of said county at the end of the current term or when a vacancy occurs in the office; providing for the disposition of fees accruing from the performance of the duties of license inspector and repealing conflicting laws.

Also:

H. 776. Relating to Escambia County; to amend Section 8 of Act No. 565, H. 967 of the 1953 Regular Session of the Alabama Legislature, which relates to privilege licenses, so as to increase the compensation of the inspector employed to assist the Judge of Probate in the enforcement of the provisions of said act.

Also:

H. 779. Relating to Talladega County; authorizing certain county health officers or administrators to issue official death certificates, levy and collect fees therefor; and providing for the distribution of such revenues for county health purposes.

Also:

H. 795. Relating to the City of Clanton in Chilton County; to alter the corporate boundaries so as to include additional lands within the corporate limits; and to provide for a referendum thereon.

Also:

H. 839. Relating to county health officers or administrators in Cherokee County; authorizing such persons to issue official death certificates; providing penalties for violation of this Act; and to provide that fees collected for certain services shall be accounted for and remitted to the treasurer of the county board of health or like official for custody subject to disbursement in the interest of health services in the county.

Also:

H. 845. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Fairhope in Baldwin County.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 356. Relating to Lee County; providing that travel expense allowances for members of the county commission shall be the same per mile as those in effect from time to time for state employees.

Also:

H. 358. Relating to Houston County; providing for election of the associate members of the county commission from districts to be defined on a population basis by the present commission upon referendum approval by the electors of Houston County.

Also:

H. 482. To authorize the Clay County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the

county and to prescribe the procedure for levying and collecting such assessments.

Also:

H. 508. Relating to Jefferson County; providing for the salary of the Assistant Tax Assessor payable from the County General Fund.

Also:

H. 509. Relating to Jefferson County; providing for an expense allowance for the Assistant Tax Assessor payable from the County General Fund and for an expiration date.

Also:

H. 510. Relating to Jefferson County; providing for an expense allowance for the Assistant Tax Collector payable from the County General Fund and for an expiration date.

Also:

H. 664. Relating to Escambia County; to provide that Four Million Dollars (\$4,000,000.00) of the proceeds of the oil and gas severance tax paid to Escambia County, Alabama under provisions of Section 40-20-8, Code of Alabama, 1975, as amended, during the fiscal year 1983-84 together with twenty percent (20%) of the annual income thereon each year thereafter beginning with the fiscal year 1984-85 shall become the corpus of a trust and remain the corpus of said trust for a period of twenty years; to provide for the appointment of trustees of the trust; to provide for the investment of the corpus of the trust for the payment of eighty percent (80%) of the investment income thereon into the general fund of Escambia County; and to provide that the provisions of this Act shall terminate twenty years from the date of its enactment.

Also:

H. 749. To authorize the Limestone County Commission to provide forest and other acreage protection within the county and to assess the whole of a part of the cost thereof, within a prescribed limit, against forest lands and other acreage protected by the Alabama Forestry Commission in the county and prescribe the procedure for levying and collecting such assessments.

Also:

H. 734. Relating to Houston County; to establish a civil service system for Houston County; to provide a policy for the administration of this act; to divide positions in the county into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans for Houston County; to provide that the first members of the personnel board shall be members of the existing personnel appeals board created pursuant to Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), and continued under Act 1049, S. 886, 1973 Regular Session (Acts 1973, p. 1663), and to provide for their successors in office; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for em-



ployment and to establish the manner in which such lists shall be used; to establish a period of probation for certain county employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the personnel board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the county; to provide for the expenses of such board; to guarantee certain rights to the governing body of Houston County; and to repeal Act No. 1049, S. 886, 1973 Regular Session (Acts 1973, p. 1663).

Also:

H. 747. Relating to Limestone County; providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as the county revenue commissioner; abolishing the offices of tax assessor and tax collector in said county; prescribing the duties and compensation of such commissioner and providing for referendum approval of such consolidation.

Also:

H. 748. Relating to Limestone County; providing that any unencumbered portion of the proceeds of any special county tax levied pursuant to Amendment 125, Constitution of Alabama 1901, can be used, in addition to all other authorized purposes, to defray the expense of indigent health care, to pay obligations of Limestone County pursuant to the Alabama Health Care Responsibility Act, Sections 22-21-290 through 22-21-297, Code of Alabama 1975, relating to county responsibility and indigent health care, or otherwise to fund indigent health care for Limestone County.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 190. COMMENDING MR. JOEY HASSELL OF CHILDERSBURG, ALABAMA, PRESIDENT OF AUBURN UNIVERSITY SCHOOL OF PHARMACY.

Also:

S. J. R. 248. PETITIONING THE CONGRESS OF THE UNITED STATES TO RESTORE THE WORK INCENTIVE PROGRAM TO A REASONABLE FUNDING LEVEL CONSISTENT WITH PROGRAM NEEDS AND RESPONSIBILITIES FOR HELPING RECIPIENTS OF AID TO DEPENDENT CHILDREN IN BECOMING PRODUCTIVE UNSUBSIDIZED WAGE EARNERS.

Also:

S. J. R. 254. AMENDING ACT NO. 84-109, S. J. R. 44, CREATING SELECT COMMITTEE TO CONSIDER HOSTING SOUTHERN LEGISLATIVE CONFERENCE ON CHILDREN AND YOUTH IN ALABAMA.

Also:

S. J. R. 257. COMMENDING THE TALLADEGA HIGH SCHOOL BASKETBALL TEAM.

Also:

S. J. R. 258. CONGRATULATING AND COMMENDING GOOD-WATER HIGH SCHOOL, COOSA COUNTY, ALABAMA, ON THEIR OUTSTANDING 1983-84 BASKETBALL SEASON.

Also:

S. J. R. 259. COMMENDING THE SYLACAUGA HIGH SCHOOL BASKETBALL TEAM.

Also:

S. J. R. 260. COMMENDING AND CONGRATULATING TALLADEGA COUNTY TRAINING SCHOOL ON ITS STATE 1A BASKETBALL CHAMPIONSHIP.

Also:

S. J. R. 262. COMMENDING MIKE SANDA OF AUBURN, NATIONAL HOOP SHOOT CHAMPION.

Also:

S. J. R. 263. COMMENDING DR. DALE L. HUFFMAN OF AUBURN UNIVERSITY.

Also:

S. J. R. 264. NAMING HIGHWAY 84 EAST IN HOUSTON COUNTY, "THE JOHN L. MURPHREE BOULEVARD."

Also:

S. J. R. 273. RECOGNIZING NATIONAL AND STATE HISTORICAL PRESERVATION WEEK, MAY 13-19, 1984.

Also:

S. J. R. 286. COMMENDING PROFESSOR STEPHEN G. DRIGGERS OF AUBURN UNIVERSITY.

Also:

S. 108. To authorize the Talladega County Commission to provide

protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Also:

S. 211. Relating to dental practice insurance coverage in health insurance policies and employee benefit plans so as to allow any individual who has dental insurance coverage or contract benefits, the right to select any dentist of his choice to furnish the dental care provided under such plans or policies; to provide that it shall be the duty and responsibility of the commissioner of insurance to enforce the provisions of this Act; and to provide for penalties for violations as provided in Section 27-1-12 of the Code of Alabama 1975.

Also:

S. 239. Relating to Jefferson County; providing for an expense allowance for the Assistant Tax Collector payable from the County General Fund and for an expiration date.

Also:

S. 245. Relating to Cullman County; authorizing a procedure whereby the sheriff is authorized to offer for public auction to the highest bidder for cash abandoned and stolen personal property which has been recovered by the sheriff's department of the county and stored by said department but which has been unclaimed after six (6) months; providing that such auctions are to be made after notice of the time and place thereof shall have been given publication once a week for two weeks in a newspaper of general circulation published in Cullman County, or by posting in a conspicuous place at the county courthouse; providing that the first publication or posting of said notice shall be twenty days before the said auction; providing a procedure for the conduct of said auction; providing that the owner of any of the abandoned or stolen property recovered and stored by the sheriff may redeem the same at any time prior to its sale by paying any reasonable storage or maintenance costs incurred and a pro rata cost of publication and further providing that after deducting and paying all expenses incurred in storing or auctioning the said property, all proceeds from the sale of said property shall be paid into the general fund of the county.

Also:

S. 246. Relating to Cullman County; to provide for a special recording fee on documents filed in the office of the judge of probate; to provide that such special recording fee be used for the purpose of acquiring and maintaining electronic data processing equipment for the office of the judge of probate.

Also:

S. 247. Providing full-time status for the associate county commissioners of Cullman County; providing certain salaries for such commissioners and prescribing realms of responsibility relating to the county road program for such commissioners.

Also:

S. 249. Relating to Cullman County; providing for the compensation of the sheriff, the judge of probate, the revenue commissioner, the coroner and the chairman of the county commission and providing a certain annual

expense allowance for the court reporters of the thirty-second judicial circuit.

Also:

S. 250. Relating to selling and redeeming lands for taxes in Cullman County, Alabama.

Also:

S. 251. Relating to Cullman County; authorizing any town or municipality in said county to regulate the business hours of game and billiard rooms either by ordinance, rule or regulation or by license fees.

Also:

S. 381. To further amend Section 1 of Act No. 458, H. 1175, Regular Session 1975, Acts of Alabama, as amended, relating to the election of certain assistant county officials in Jefferson County to serve in the branch offices in the City of Bessemer so as to remove the provisions relative to the assistant probate judge.

Also:

S. 393. To provide a supplemental salary for the elected deputy circuit clerk serving the Bessemer Cut-Off Division of the Tenth Judicial Circuit.

Also:

S. 411. To amend Section 12 of Act No. 80-442 so as to eliminate the 90 days waiting period to draw benefits for normal retirement from the Policemen's and Firemen's Retirement Fund of the City of Gadsden, Alabama.

Also:

S. 434. Relating to Jefferson County; to alter, rearrange and extend the boundaries and corporate limits of the City of Midfield, Alabama, so as to incorporate certain territory as described herein.

Also:

S. 443. To extend, alter and rearrange the boundary lines and corporate limits of the City of Lincoln, Talladega County, Alabama.

Also:

S. 544. Relating to Jefferson County; providing further for the cost and charges in all district court cases and providing for the establishment of a Family Court Probation Fund in the county and the distribution of such funds.

Also:

S. 559. Relating to Jefferson County; to alter, rearrange and extend the boundaries and corporate limits of the City of Midfield, Alabama, so as to incorporate certain territory as described herein.

Also:

S. 615. Relating to the City of Homewood; to provide for the zoning of certain property.

McDOWELL LEE,  
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT  
RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 564. To authorize Class I municipalities to alter and change water courses and to construct and develop wharves and wharf facilities within a radius of twenty-five miles in order to maximize the ability of municipalities to promote the use of river and water transportation to take advantage of the shipping potential made possible by the Tombigbee Waterway, provided that no such facility can be constructed or developed within the police jurisdiction of another municipality without the consent thereof, or in an unincorporated area of any county without the consent of the governing body of such county; to issue general obligation bonds, or to authorize industrial development boards to issue revenue bonds to finance such facilities; to authorize municipalities and counties to contribute funds to such municipalities for construction and operation of such facilities, and to contract for joint construction and operation thereof; to provide an effective date of the Act.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 440. To provide a Crime Victims Compensation Commission, procedures relating to their appointment, terms, compensation, powers and duties; to provide provision for office, support, staff and secretarial services of such commission; to provide for awards for compensation, for economic loss under certain circumstances to qualified applicants; to provide for the limiting of awards under certain circumstances; to provide restrictions for Commission authority as to claimant and possible collateral source benefits; to provide for medical examination requirements including limited waiver of physician-patient privilege; to provide award without requirement of prosecution or conviction of any individual; to provide procedures for subrogation rights; to provide for special types of awards procedures; to provide for annual reports and their distribution; to provide further for audits of the Commission; to provide further for surety bond of members, agents and employees; to provide further for the Alabama Crime Victims Compensation Fund and payments thereto by certain persons; to provide further for the taxing or assessing of additional court costs, assessments or penalties; to provide further for the exemption of compensation from state or municipal taxation and certain writs of garnishment or attachment; to provide further for certain persons to be ineligible for compensation; to provide further for

criminal penalties to be attached to certain acts by members, agents, or employees of the Commission; to provide further for other criminal penalties in regard to claimants and other persons who perform certain acts or omissions; to provide further for other criminal penalties for persons who perform certain acts in regard to monies or securities of the Commission held in trust or otherwise; and to provide further for other criminal penalties in regard to false claims.

Also:

H. 441. To amend Section 36-30-2, Code of Alabama 1975, which provides for the compensation paid to dependents of peace officers or firemen killed in the performance of duty, so as to increase said compensation.

Also:

H. 74. To repeal Sections 2-13-82, 2-13-83, 2-13-85 and 2-13-88, Code of Alabama 1975, which requires milk producers and processors to obtain a joint permit from the State Board of Health and the County Boards of Health in order to do business in Alabama.

McDOWELL LEE,  
Secretary.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 626. To amend Code of Alabama 1975, Section 40-20-2, so as to provide for an exemption for certain uses of natural gas from the Privilege Tax on Production.

Also:

H. 627. To amend Code of Alabama 1975, Section 9-17-25, so as to provide for an exemption for certain uses of natural gas from the Conservation and Production Tax.

Also:

H. 656. To amend Section 40-20-8 (c), Code of Alabama, 1975, as last amended, relating to the allocation and distribution of taxes from oil and gas production, so as to provide further for the distribution of taxes collected within the jurisdiction of municipalities.

Also:

H. 707. A bill to amend Act No. 83-498, 1983 Regular Session of the Legislature of Alabama, to make the appropriation contained in said Act No. 83-498 in the amount of Six Million Five Hundred Thousand Dollars (\$6,500,000), constitute and consist of a supplemental appropriation for the period ending September 30, 1983 and an appropriation for subsequent fiscal years, from monies comprising Trust Capital of The Alabama Heritage Trust Fund created by an amendment to the Constitution of Alabama of 1901, proposed by Act No. 81-1178, 1981 Third Special Session, for the purpose of payment by the State of Alabama of requisitions submitted by the Alabama Housing Finance Authority for its payment of costs and expenditures (including funding of debt service reserve funds) incurred by it in the exercise of the powers granted to it by law, and to validate disbursements made to said Authority between August 1, 1983 and October 31, 1983

and to provide that any requisitions paid after December 31, 1983 shall only be made in connection with issuance of single family mortgage revenue bonds, the interest on which is exempt from federal income taxation.

McDOWELL LEE,  
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 382. To amend § 22-30-4, Code of Alabama 1975, as amended, relating to the regulatory authority of the state department of environmental management over hazardous waste, so as to provide further for such authority by providing for certain monitoring teams at disposal sites with such teams being financed by levying certain fees on operators of such sites.

Also:

S. 450. Relating to Cleburne County; providing further for the expense allowance and salary for the county coroner.

Also:

S. 455. Relating to Morgan County; to authorize the Morgan County Commission to pay the actual cost of replacing any clothing or equipment of a deputy sheriff, probation officer or juvenile detention officer of the county that is damaged or destroyed while such officer is engaged in the performance of his official duties and acting within the line and scope of his authority.

Also:

S. 456. Relating to Morgan County; to authorize the Morgan County Commission to enter into contract providing for the Sheriff of Morgan County to furnish police protection within a municipality of the county on a contract basis. To further authorize municipalities entering into such a contract police agreement to pay over to the county treasurer monies sufficient to reimburse the county treasury for expenditures necessary to provide said contract policing.

Also:

S. 541. Relating to Coosa County; legalizing the sale of draft or keg beer or malt beverages; and repealing conflicting laws.

Also:

S. 570. Relating to Calhoun County; to extricate certain public officers in said county from the provisions of Section 6-8-40 of the Code of Alabama 1975 which require such officers and officials to subscribe for, take and file certain weekly newspapers.

Also:

S. 587. Relating to Calhoun County; establishing a branch of the license commissioner's office in the City of Piedmont.

Also:

S. 597. Relating to St. Clair County; to provide further for the elec-

tion of the members of the county board of education and the superintendent of education.

Also:

S. 601. Relating to Bibb County; to amend Act No. 780, H. 1706, Regular Session 1973 (Acts 1973, p. 1195), which act provides for compensation of the sheriff, appointment of deputies, secretaries and jailors, so as to further provide for the salaries of certain members of the sheriff's staff.

Also:

S. 607. To amend the title and sections 1, 2, 5, 6, 8, 9, 10, 11, 12, 13 and 15 of Act No. 82-693, H. 57 of the Second Special Session of 1982 (Acts 1982, p. 144) which created and established the Shelby County Planning Commission, so as to provide further for the membership, organization, authority and function of the commission and to specifically repeal section 16 of said act which provided for ratification, validation and approval of Act No. 816 approved September 2, 1965 and actions taken by the Shelby County Planning Commission, officials and electors of the county as of the date they were taken.

Also:

S. 618. Relating to the 8th Judicial Circuit; to provide an additional expense allowance to each court reporter.

Also:

S. 619. Relating to Morgan County; to amend Section 1 of Act No. 733, S. 811, Regular Session 1977 (Acts 1977, p. 1279) which regulates the compensation of members of the county board of registrars, so as to provide further for such compensation and to specifically repeal Act No. 622, H. 1108, 1981 Regular Session (Acts 1981, p. 1036).

Also:

S. 620. To provide an annual salary supplement for the clerk of the Morgan County Jury Commission, to be paid by the county; to provide that such supplement shall be in an amount so as to make the total salary of the Clerk of the Jury Commission equal to the total salary received by the Chairman of the Board of Registrars of said county; and to provide an effective date.

Also:

S. 621. To amend the Title and Section 4 of Act No. 80-572, S. 576 (Acts 1980, p. 885), said act relating to Lowndes County and the additional levy of tax on persons, firms and corporations selling and distributing or delivering malt or brewed beverages to retailers, so as to provide further for the administration of the Juvenile Services Trust Fund Account.

Also:

S. 633. Relating to the City of Cullman in Cullman County; to validate, in certain cases, annexations heretofore held by the City of Cullman.

Also:

S. 635. Relating to Marshall County; to further regulate the appropriation and distribution of Tennessee Valley Authority funds paid in-lieu-of-taxes; making certain provisions retroactive to April 1, 1984; and specifically providing that the provisions of this act shall be cumulative.



Also:

S. 639. To provide for the filing for record and the preservation of all orders and decrees made and entered by any Judge of the Circuit Court of the 32nd Judicial Circuit.

Also:

S. 647. Relating to Etowah County; creating and establishing a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of it members; providing for the selection, powers and duties of the personnel director; and providing penalties for violation of any of the provisions of this act.

Also:

S. 648. To alter or rearrange the boundary lines of the Town of Arifton, Dale County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in Dale County, Alabama.

Also:

S. 650. Relating to Dale County; to provide for increasing the salary of the probate judge effective October 1, 1984.

Also:

S. J. R. 185. CREATING A LEGISLATIVE TASK FORCE TO THOROUGHLY STUDY AND CONSIDER ABUSE AND NEGLECT OF CHILDREN IN THE STATE OF ALABAMA, AND TO REQUIRE THAT SAID TASK FORCE SHALL REPORT TO THE LEGISLATURE ITS FINDINGS, CONCLUSIONS AND RECOMMENDATIONS.

Also:

S. J. R. 223. NAMING THE BRIDGE IN BALDWIN COUNTY OVER THE CANAL BETWEEN LITTLE LAGOON AND THE GULF OF MEXICO, ON ALABAMA HIGHWAY 182, THE "LEE CALLAWAY BRIDGE."

Also:

S. J. R. 242. CREATING THE ALABAMA INTERNATIONAL TRADE PROMOTION OVERSIGHT COMMITTEE.

McDOWELL LEE,  
Secretary.

#### SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES  
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 116. Relating to Mobile County; to provide for a referendum election to determine whether the Mobile County Commission shall provide for a leash law in the unincorporated areas of the county; to empower the county commission to adopt and enforce such leash law contingent upon such referendum approval by the qualified electors of the county and to provide that the county commission may contract with an incorporated municipality in the county for enforcement of such law.

Also:

H. 383. To allow the Mobile County Commission, at their discretion, to grant an expense allowance to the Circuit Clerk, the County Administrator of Estates and the Circuit Register of the Thirteenth Judicial Circuit, Mobile County, Alabama, beginning in 1984.

Also:

H. 400. Relating to Lawrence County; to provide that the sheriff shall be entitled to the allowances payable by the State, counties and municipalities for feeding prisoners; and to provide that the provisions of this Act shall have retroactive effect.

Also:

H. 459. Relating to Geneva County; providing that a \$1,000.00 damage bond must be posted with the Geneva County governing body before any house or building is moved on any public road within Geneva County, Alabama.

Also:

H. 529. Relating to Shelby County; to amend Section 8 of Act No. 82-771, S. 93, 1982 Second Special Session, (Acts 1982, 2nd Special Session, p. 262), which created the Shelby County Planning Commission, so as to provide that the election be held in each beat on whether or not the authority of the commission, its master plan and zoning regulations shall apply to such beat may not be held any more often than once every two years.

Also:

H. 610. Relating to Mobile County; providing for the compensation and payment of salary of the members of the county governing body.

Also:

H. 637. Establishing the powers and authority and requirements of district attorney's investigators of the fourteenth judicial circuit of Alabama.

Also:

H. 694. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Geiger in Sumter County.

Also:

H. 713. Relating to Madison County; to exempt from all county and

local ad valorem taxes all property owned and used by the Mayfair Towers Corporation, a Huntsville, Alabama corporation.

Also:

H. 720. Relating to law enforcement in Houston County; to amend Sections I, II and III of Act No. 671, 1967 Regular Session (Acts 1967, p. 1495), relating to the issuance of pistol permits in Houston County, so as to provide further for permit fees, distribution of such fees and issuance of such permits.

Also:

H. 700. To authorize Madison County, Alabama, to provide for the forfeiture of devices and weapons used in the commission or attempted commission of any crime against a person; to provide for the forfeiture of devices or weapons upon the conviction of a person of the crime of carrying a concealed weapon; to provide for the forfeiture of any device or weapon denominated as unlawful under the laws of the state or which is found on or about the person of any person who is prohibited by law from carrying or possessing said device or weapon; and to provide for the forfeiture of any device or weapon which is abandoned or otherwise found and the lawful owner cannot be located; and to exempt motor vehicles from the provisions of the act. To further provide for the disposition of said devices or weapons by the District Attorney by means of destruction, sale, or use for historical, instructional, or law enforcement upon court order and to exempt devices or weapons which are found to be stolen or otherwise wrongfully possessed and the lawful owner is located.

Also:

H. 804. To amend further Section 3 of Act No. 107, H. 150, 1st Special Session of 1956, Acts of Special Sessions 1956, p. 154, creating and providing for in the City of Prichard, Alabama a special fund to be known as "The Municipal Employees Pension and Relief Fund" so as to provide for the eligibility of certain city officials to be included in such pension and relief system.

Also:

H. 808. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Fairhope in Baldwin County.

Also:

H. 820. Relating to Cullman County; authorizing any town or municipality in said county to regulate the business hours of game and billiard rooms either by ordinance, rule or regulation or by license fees.

Also:

H. 822. Relating to Cullman County; to provide for a special recording fee on documents filed in the office of the judge of probate; to provide that such special recording fee be used for the purpose of acquiring and maintaining electronic data processing equipment for the office of the judge of probate.

Also:

H. 825. Relating to selling and redeeming lands for taxes in Cullman County, Alabama.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 821. Relating to Cullman County; authorizing a procedure whereby the sheriff is authorized to offer for public auction to the highest bidder for cash abandoned and stolen personal property which has been recovered by the sheriff's department of the county and stored by said department but which has been unclaimed after six (6) months; providing that such auctions are to be made after notice of the time and place thereof shall have been given publication once a week for two weeks in a newspaper of general circulation published in Cullman County, or by posting in a conspicuous place at the county courthouse; providing that the first publication or posting of said notice shall be twenty days before the said auction; providing a procedure for the conduct of said auction; providing that the owner of any of the abandoned or stolen property recovered and stored by the sheriff may redeem the same at any time prior to its sale by paying any reasonable storage or maintenance costs incurred and a pro rata cost of publication and further providing that after deducting and paying all expenses incurred in storing or auctioning the said property, all proceeds from the sale of said property shall be paid into the general fund of the county.

Also:

H. 826. Relating to Blount County; authorizing certain county health officers or administrators to issue official death certificates, levy and collect fees therefor; and providing for the distribution of such revenues for county health purposes.

Also:

H. 836. Relating to county health officers or administrators in Walker County; authorizing such persons to issue official death certificates.

Also:

H. 850. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Pollard in Escambia County.

H. 855. Relating to Baldwin County, authorizing the county commission to appropriate money or equipment to certain duly organized, established and approved search and rescue squads or units.

Also:

H. 857. To alter, rearrange and extend the boundary lines and corporate limits of the City of Oxford in Calhoun County.

Also:

H. 858. Relating to Baldwin County; further providing that the county commission of Baldwin County is hereby authorized to appoint real estate agents or other persons in the real estate field to the Baldwin County Planning Commission, to provide that the real estate agents or persons in the real estate field shall not exceed 25 percent of the composition of the Baldwin County Planning Commission, and giving this act retroactive effect.

Also:

H. 859. Relating to the twenty-eighth judicial circuit in Baldwin County; granting certain law enforcement authority to investigators of the district attorney's office and allowing court bailiffs and employees of the district attorney's office to attend grand jury sessions except when said jury is deliberating.

Also:

H. 861. Relating to Randolph County; to provide for the mailing addresses of the grantees to appear on all conveyances of real property recorded in the probate office of such county.

Also:

H. 862. Relating to county health officers or administrators in Cleburne County; authorizing such persons to issue official death certificates; providing penalties for violation of this Act; and to provide that fees collected for certain services shall be accounted for and remitted to the treasurer of the county board of health or like official for custody subject to disbursement in the interest of health services in the county.

Also:

H. 863. To amend the Title and Section 4 of Act No. 80-572, S. 576 (Acts 1980, p. 885), said act relating to Lowndes County and the additional levy of tax on persons, firms and corporations selling and distributing or delivering malt or brewed beverages to retailers, so as to provide further for the administration of the Juvenile Services Trust Fund Account.

Also:

H. 867. To alter or rearrange the boundary lines of the City of Albertville, Marshall County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Marshall County, Alabama.

Also:

H. 885. Relating to the city of Muscle Shoals; and to provide further for the compensation of the members and chairman of the Utilities Board of the City of Muscle Shoals.

Also:

H. 889. Relating to Chambers County; to provide further for the salary of the coroner.

Also:

H. 891. Relating to Morgan County; to alter, rearrange and extend the boundary lines and corporate limits of the Town of Flint City.

Also:

H. 892. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Trinity, in Morgan County.

Also:

H. 894. Relating to the City of Athens; authorizing the governing body of such municipality to adopt ordinances to provide for the protection of the historic character of the City of Athens; and providing for a Historic Preservation Commission.

Also:

H. 909. Relating to the 3rd Judicial Circuit of Alabama; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 911. Relating to Coffee County; providing for a supplement to the compensation of the circuit clerk in Coffee County beginning October 1, 1985, and payable from the general fund of the county.

Also:

H. 917. Relating to Houston County; providing further for the compensation of poll workers.

Also:

H. 922. Relating to Chilton County; authorizing the county commission to enter contracts for computerized record keeping and filing.

Also:

H. 927. Relating to Chambers County; amending Act No. 80-418, H. 979, 1980 Regular Session, which provides for license fees on mobile homes, so as to provide further for the distribution of said fees.

Also:

H. 929. Relating to Bullock County; providing for the compensation of the Judge of Probate retroactively to January 1, 1983.

Also:

H. 932. Relating to Bullock County; to legalize the sale of draft or keg beer or malt beverages.

Also:

H. 931. To propose an amendment to the Constitution of Alabama of 1901, to extricate the judge of probate in Macon County, Alabama, from a certain age restriction on eligibility to hold such office.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 762. Relating to Madison County; providing further for the compensation of the directors and officers of the airport authority.

Also:

H. 840. To levy a finance charge of ten cents per acre to be assessed against lands in Hale County, Alabama, which are used for timber growing purposes; to provide protection against forest fires, insects and disease within Hale County; to provide for a referendum on the question; and to prescribe the procedure for the collection of such assessments.

Also:

H. 851. Relating to Pike County; prohibiting private agencies, private groups, private corporations, partnerships, private associations, individuals, and any and all other private entities from establishing, maintaining, or operating a correctional, rehabilitation, or juvenile detention facility in Pike County without first obtaining the approval of the county commission.

Also:

H. 860. Relating to Baldwin County; providing for a referendum on the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner; providing for the compensation of such official; repealing conflicting laws; providing for filing by candidates for

county revenue commissioner and an election therefor; and providing for its effectiveness.

Also:

H. 880. Relating to Macon County; to provide for a secretary-office manager for the county legislative delegation; to provide office space for said official.

Also:

H. 882. Relating to Macon County; providing for election of the members of the county board of education from certain districts which shall be the same as those districts served by county commissioners.

Also:

H. 883. Relating to Macon County; providing further for the deposit and disposition of fees and charges collected by the Judge of Probate of Macon County, pursuant to Act No. 81-584, H. 978, 1981 Regular Session (Acts 1981, p. 969) and Act No. 81-588, H. 1007, 1981 Regular Session (Acts 1981, p. 973), which acts relate to costs for recordings and filings of petitions, so as to provide all such funds shall be deposited to the probate office to be expended for purposes of the probate office, as determined in the sole discretion of the judge of probate; and making the provisions of this act retroactive to May 17, 1981.

Also:

H. 884. Relating to Macon County; providing for a full-time chairman at the discretion of the county commission until the general election of 1986; providing that in 1986 such chairman shall be elected at-large from the county; authorizing the county commission to set the salary of the chairman within a certain limit and authorizing the chairman to employ an administrative assistant within a certain salary range and other necessary personnel.

Also:

H. 890. An Act, to alter, re-arrange and extend the boundaries and corporate limits of the City of Pelham, Alabama, so as to incorporate certain territory as described herein.

Also:

H. 908. To provide for an expense allowance for the Sheriff of Calhoun County, Alabama.

Also:

H. 926. Relating to Wilcox County; to provide reasonable compensation for the Wilcox County School Board Members.

Also:

H. 935. To amend Section 8 of Act No. 83-532, H. 609, Regular Session 1983 (Acts 1983, p. 827), which act levies an additional sales tax in Baldwin County, so as to provide further for the distribution of a certain portion of the proceeds of said tax so as to provide for the leasing or building and operation of a home for juveniles through the juvenile court of Baldwin County.



Also:

H. 937. Relating to Baldwin County; granting to the county commission certain power and authority relative to public improvements in certain areas lying outside the corporate limits of any municipality in such county; providing for the assessment against the property benefited thereby of the cost and expenses of materials used in the performance of services relative to such public improvements if said improvements are approved by  $\frac{2}{3}$  of property owners affected; authorizing, providing for and regulating hearings relative to such assessments and appeals therefrom; providing for the collection of such assessments by the Baldwin County tax collector; investing the Baldwin County Commission with the same powers and authority relative to the collection of improvement assessments and liens therefor had by municipalities relative to municipal improvement assessments; providing that this act is cumulative to other laws relative to the authority, powers and duties of the Baldwin County Commission.

Also:

H. 970. To authorize the Talladega County Commission to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and to prescribe the procedure for levying and collecting such assessments.

Also:

H. 886. Proposing an amendment to the Constitution of 1901; relating to legalizing the operation of bingo games for prizes or money by certain non-profit organizations for charitable or educational purposes in Macon County.

Also:

H. 915. Proposing an amendment to the Constitution of 1901, relating to additional ad valorem tax in Wilcox County.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 460. To provide that the governing body of any municipality, with a population of less than 5,000 persons, by resolution duly adopted, may abolish or create a civil service system or other personnel board; to continue all rights, interest and privileges which certain employees have in any civil service or merit system within any such municipality; to prescribe that the provisions of this act shall be construed in pari materia with Section 36-27-

6, Code of Alabama 1975, permitting certain governing boards, including municipalities to elect to have its eligible officers and employees participate in the state retirement systems; and to repeal conflicting laws.

Also:

H. 296. To amend Code of Alabama 1975, Section 9-11-231 by adding thereto Sections b, c, and d and by renumbering Section 9-11-231 to designate the present section as Section (a); by such amendment to designate the flattened musk turtle (Sternotherus minor depressus) as protected within the meaning of Title 9 of Code of Alabama of 1975; to prescribe unlawful activities in connection with the flattened musk turtle (Sternotherus minor depressus); to provide that the Alabama Department of Conservation and Natural Resources may issue permits for certain activities in connection with the flattened musk turtle (Sternotherus minor depressus) and to establish criminal penalties for the violation of this Act.

Also:

H. 684. To amend Section 40-9-12 to add Birmingham Football Foundation, Inc., a non-profit corporation, as an organization to which its tax exemption provisions apply.

McDOWELL LEE,  
Secretary.

#### RESOLUTION

The following resolution was introduced and distributed according to Joint Rule 11:

By Rep. Turnham:

H. R. 398. HONORING HILTON J. ISHEE

#### RECESS

Pursuant to the resolution, H. R. 391, heretofore adopted, the House recessed from five o'clock p.m. until seven o'clock p.m.

#### HOUSE RECONVENED

The hour of seven o'clock p.m., having arrived, the House reconvened. The Speaker called the House to order.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 668. To provide for one additional circuit judgeship each for the 11th, 12th, 13th, 15th and 28th judicial circuits of Alabama; to provide for four additional circuit judgeships for the 10th judicial circuit; to provide for one additional district judgeship for Russell County; to prescribe the jurisdiction, powers, duties, responsibilities and compensation of such judges; to increase the number of circuit judges in each of these judicial circuits by amending Section 12-17-20, Code of Alabama 1975; to provide for the designation of these additional judgeships to particular divisions of the respective circuit courts; to provide for the initial appointment by the Governor of judges to fill these positions beginning October 1, 1984; to provide for the subsequent election of judges to fill these positions; to provide an appropri-

ation to the Unified Judicial System to fund said judgeships; to repeal Acts 82-546 and 82-676; and, to provide an effective date.

McDOWELL LEE,  
Secretary.

S. 79 RESUMED

S. 79 TEMPORARILY POSTPONED

On motion of Rep. Johnson (Roy), the bill, S. 79, was temporarily postponed.

H. 450 AGAIN TAKEN UP

And the bill, H. 450 with Senate amendment, which previously was temporarily postponed, was again taken up.

SENATE AMENDMENT CONCURRED IN

On motion of Rep. Holley, the House concurred in and adopted the Senate amendment to the bill, H. 450.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker, Adams, Bachus, Beers, Black, Blake, Blakeney, Boles, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Burke, Buskey (James), Butler, Campbell, Carothers, Carter, Clark (D.), Clark (J.), Clark (W.), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Gaston, Goodwin, Grouby, Hammett, Harper, Harvey, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McMillan, McNair, Marietta, Martin, Mathis, Melton, Mikell, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Seibels, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

S. 380. To allow certain foreign and domestic corporations which qualify for S corporation treatment under the Internal Revenue Code to pass the tax treatment through to shareholders as provided by the Internal Revenue Code instead of being taxed as provided by Section 40-18-31, Code of Alabama 1975, on the entire net income of the corporation; and to provide for the determination of the amount of taxable income for such corporations.

said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To The Alabama Senate  
State Capitol  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I transmit herewith, a message from Governor George C. Wallace, returning to you, the house in which it originated, Senate Bill No. 380, without the Governor's signature and approval but with the following suggested Executive Amendment.

Done this 17th day of May, 1984.

Respectfully submitted,

ELVIN L. STANTON,  
Executive Secretary.

MESSAGE FROM THE GOVERNOR

To The Alabama Senate  
State Capitol  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I am returning to you, the body in which it originated, Senate Bill No. 380, as amended, without my signature and approval but with a suggested Executive Amendment which would make this Bill acceptable to me.

In Section 2(9)(b), contains unclear language regarding the applicability of the Bill. The attached amendment will facilitate the administration of this subject Bill by clarifying that the language of Section 2(9)(b), which is appropriate only to foreign corporation tax procedures, will apply to foreign corporations which qualify as Alabama S Corporations. For this reason I offer the following Executive Amendment.

EXECUTIVE AMENDMENT TO SENATE BILL NO. 380:

Amend S. B. 380, page 3, Section 2, subparagraph (9)(b) by inserting, on line 3 after the characters "(b)" the following additional language: In the case of foreign corporations qualified as Alabama S Corporations,

and further amend by changing the capital letter "T" in the word "The" to the lower case letter.

The adoption of the above and foregoing suggested Executive Amendment will remove my objections to this Bill.

Done this 17th day of May, 1984.

Respectfully,

GEORGE C. WALLACE,  
Governor.

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, S. B. 380, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 24, Nays 0.

And said Bill, S. B. 380, together with the Executive amendment, is herewith sent to the House for its consideration.

MCDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Rep. Johnson (Roy), the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 380, said Governor's amendment being set out in the above and foregoing Message from the Senate.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker, Adams, Bachus, Beers, Biddle, Blake, Blakeney, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Davis, Dutton, Escott, Faulk, Flowers, Ford, Gaston, Goodwin, Grouby, Hall, Hammett, Harper, Harvey, Holley, Holmes, Hooper, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McMillan, Marietta, Mathis, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Perdue, Poole, Pratt, Preuitt, Rains, Reed, Rice, Richardson, Rogers, Sasser, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turner, Turnham, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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REPORT OF THE STANDING COMMITTEE ON RULES  
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 311. To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939 (Local Acts 1939, page 298), which creates and establishes the County-wide Civil Service System in Mobile County, as amended by Act No. 684, H. 594 of the Regular Session of 1976 (Acts of Alabama 1976, page 939), so as to delete the Presiding Judge of the Circuit Court and the Presiding Judge of the District Court, automatic members of the Supervisory Committee of the Mobile County Personnel Board, and to provide for the election of a Chairman of the said Supervisory Committee.

Also:

H. 633. Relating to the Tenth Judicial Circuit, Bessemer Division; effective upon the expiration of the present term of office, the elected deputy district attorney shall serve a six year term of office.

Also:

H. 675. To relate to the City of Birmingham in Jefferson County, Alabama; to amend Sections 3.01, 3.03, 3.12 and 4.01 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, Page 1004), providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census, so as to provide that both the Mayor and Council shall take office on the second Tuesday in November of the year of their election; and to further provide that the first meeting of each newly elected council shall be held on the second Tuesday in November of the year of its election.

Also:

H. 788. Relating to the City of Birmingham in Jefferson County; to further amend Section 4.06(9) of Act No. 452, of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, pp. 1004, et seq.), as amended, also known as the Mayor-Council Act of 1955, so as to provide, in addition to staff otherwise provided by law, for such staff members as the Mayor may deem necessary not subject to any merit system, to provide that the salaries of such staff assistants shall be determined by the Mayor, and to prohibit members of the Mayor's staff from running for elected office while serving on said staff.

Also:

H. 801. To amend Section 1 of Act No. 708, H. 1078, Regular Session 1978, (Acts 1978, p. 1021) entitled, "An Act To authorize and provide for the establishment, maintenance, equipping, operation and financing of a public law library in Hale County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county," so as to increase the law library fees taxed as items of court costs.

Also:

H. 823. Providing full-time status for the associate county commissioners of Cullman County; providing certain salaries for such commissioners and prescribing realms of responsibility relating to the county road program for such commissioners.

Also:

H. 841. Relating to the City of Birmingham in Jefferson County; to further amend Section 3.07 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955 (Acts of 1955, pp. 1004, et seq.), as amended, also known as the Mayor-Council Act of 1955, so as to provide that the City Council may employ on behalf of said City such employees as said Council may deem necessary to assist the Council, and to provide conditions for inclusion in the general pension system of the municipality.

Also:

H. 870. Relating to Mobile County; providing that retired employees of the county health department shall be granted certain cost of living pension increases whenever retired state employees are granted such pension increases.

Also:

H. 916. Relating to Mobile County; providing further for the use of a certain portion of monies accruing to Mobile County pursuant to Act No. 84-186, H. 182, 1984 Regular Session, (Acts 1984, p. \_\_\_\_\_), relating to license taxes and registration fees on trucks and truck tractors.

Also:

H. 928. Relating to Marion County; prescribing that the offices of the chairman and associate members of the county governing body shall be full time and receive the salary compensation as such full time commissioners as now provided by local law.

Also:

H. 934. Relating to Dale County; redistricting the county for purposes

of electing members of the county commission and providing for the election of county commissioners on such district basis.

Also:

H. 936. Relating to Baldwin County; amending Act No. 81-99, S. 31, 1981 Regular Session, which provides for the compensation of the members of the board of registrars, so as to increase said compensation.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 974. Relating to Elmore County; providing further for the compensation, payable from the county treasury, for members of the county commission and an effective date therefor; specifically repealing Act No. 1779, H. 1732 of the 1971 Regular Session (Acts 1971, p. 2942) and Section 2 of Act No. 235, H. 945 of the 1975 Regular Session (Acts 1975, p. 761), relating to salary and expense allowances for members of the commission, and all laws conflicting herewith.

Also:

H. 975. Relating to Elmore County; providing further for the compensation of the members of the board of registrars and to provide for retroactive effect.

Also:

H. 976. Relating to Elmore County; to authorize the county commission to pay a mileage allowance to the license inspector not to exceed the allowance paid other county employees, retroactively effective to January 1, 1978.

Also:

H. 977. Relating to Marshall County; to further regulate the appropriation and distribution of Tennessee Valley Authority funds paid in-lieu-of-taxes; making certain provisions retroactive to April 1, 1984; and specifically providing that the provisions of this act shall be cumulative.

Also:

H. 979. Relating to Colbert County; providing further for the redemption of real property and lands subject to delinquent tax sales, pursuant to Title 40, Chapter 10, Code of Alabama 1975, so as to transfer to and author-

ize the county tax collector to perform and have the responsibilities and powers therein prescribed for the county treasurer.

Also:

H. 981. Relating to Baldwin County and the term of office for county commissioners; and repealing conflicting laws.

Also:

H. 982. Relating to Houston County; amending Act No. 718, H. 1513, 1971 Regular Session, which provides for the compensation of the board of equalization, so as to provide further for said compensation.

Also:

H. 984. Relating to the election of County Commissioners in Conecuh County; to provide for the redistricting and reapportionment of the electors in Conecuh County; to provide for dividing Conecuh County into four (4) single-member Commissioner's Districts in 1984, and into five (5) single-member Commissioner's Districts beginning in 1988; to provide for the election of a Commissioner in each of said districts; to provide for the tenure of office of the Commissioners; to provide the compensation of the Commissioners so elected; to provide for the division and assignment of the voters in all the Precincts and Voting Boxes in the county; to provide methods and procedures for effecting the assignment of the voters; to provide for the repeal of Act No. 2284 Regular Session of the 1971 Legislature and other laws inconsistent herewith; to provide for the payment of all expenses in connection with passage of this legislation and the assignment of voters in the proper Precincts and Voting Boxes in the county; and to provide that the provisions of this Act shall become effective immediately upon its passage.

Also:

H. 985. To amend the title and Section 1 of Act No. 384, H. 829, Regular Session 1953 (Acts 1953, p. 455), which prohibits two members of the board of education of Conecuh County from residing in the same beat or precinct, so as to provide for two at-large appointed seats on the board for two years only, from 1984 to 1986, and to provide for the election of all school board members from five single-member districts beginning in 1986, with their terms running concurrently.

Also:

H. 412. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901 authorizing Mobile County under certain conditions to issue its general obligation bonds for the purpose of refunding any one or more issues of Outstanding Securities (as defined herein), to be additionally secured by a pledge of the special ad valorem tax provided for in Amendment XVIII to said Constitution, as amended; authorizing Mobile County to apply proceeds of the Special Tax (as defined herein), whether or not any such bonds are issued, for payment of the Outstanding Securities; providing that none of the said bonds shall be chargeable against the limitation on the indebtedness of Mobile County contained in Section 224 of said Constitution and specifying certain details pertaining to the said bonds and leases.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.



SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES  
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 941. To provide for the filing for record and the preservation of all orders and decrees made and entered by any Judge of the Circuit Court of the 32nd Judicial Circuit.

Also:

H. 942. Relating to the City of Cullman in Cullman County; to validate, in certain cases, annexations heretofore held by the City of Cullman.

Also:

H. 943. Relating to Cleburne County; to create a license-issuing division within the probate judge's office for the issuance of certain licenses; to provide for the selection of personnel for such license-issuing division; to provide certain duties for the division; to provide for an optional procedure for the renewal of motor vehicle licenses in the county by mail; to authorize certain additional fees and cost pursuant to such system of renewal of motor vehicle licenses by mail; such fees shall be set by the county commission from time to time to pay the cost of mailing tags or decals; to prescribe more convenient and efficient procedures for assessing and collecting of certain taxes; the issuance of licenses by the probate judge's office; and to transfer certain duties now performed by the tax assessor and tax collector to said probate office.

Also:

H. 948. Relating to the fees and expense allowances for the Coroner of Henry County, Alabama, payable from the county treasury; and making such fees and expense allowances retroactive to October 1, 1983.

Also:

H. 950. To provide for the City of Weaver in Calhoun County, a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the city's defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

Also:

H. 953. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Valley Head in DeKalb County.

Also:

H. 954. Relating to Escambia County; to further amend Section I of Act No. 225, H. 204, Special Session of the Legislature 1965 (Acts 1965 Special Session, p. 306), as last amended, relating to the compensation of the

members of the board of education of Escambia County, so as to increase said compensation.

Also:

H. 955. Relating to Escambia County; providing that the Chairman of the Escambia County Commission shall serve full time as such officer.

Also:

H. 956. Relating to Montgomery County; to further provide for the supplemental salary payable from the county to district court judges.

Also:

H. 958. Relating to Etowah County; to provide for the filing for record and the preservation of all orders and decrees made and entered by any judge of the circuit court.

Also:

H. 965. Relating to Morgan County; to authorize the Morgan County Commission to pay the actual cost of replacing any clothing or equipment of a deputy sheriff, probation officer or juvenile detention officer of the county that is damaged or destroyed while such officer is engaged in the performance of his official duties and acting within the line and scope of his authority.

Also:

H. 966. Relating to Morgan County; to authorize the Morgan County Commission to enter into contract providing for the Sheriff of Morgan County to furnish police protection within a municipality of the county on a contract basis. To further authorize municipalities entering into such a contract police agreement to pay over to the county treasurer monies sufficient to reimburse the county treasury for expenditures necessary to provide said contract policing.

Also:

H. 967. Relating to Morgan County; to amend Section 1 of Act No. 733, S. 811, Regular Session 1977 (Acts 1977, p. 1279) which regulates the compensation of members of the county board of registrars, so as to provide further for such compensation and to specifically repeal Act No. 622, H. 1108, 1981 Regular Session (Acts 1981, p. 1036).

Also:

H. 971. To amend Section 3 of Act No. 983, H. 1019, of the 1971 Regular Session (Acts 1971, p. 1759), which further regulates the possession, sale, storage, transportation, use and consumption of alcoholic beverages in Elmore County, so as to provide further for such regulation by deleting the requirement of a certain special retail license for such beverages and to provide that such deletion shall be retroactive to September 7, 1971.

Also:

H. 972. Relating to Elmore County; to amend Section 2 of Act No. 388, H. 979, 1978 Regular Session (Acts 1978, p. 375), relating to compensation of the deputies of the sheriff's department, so as to provide further for such compensation and to provide for retroactive effect.

Also:

H. 973. Relating to Elmore County; to provide for the election of members of the county commission, to define new districts and to repeal certain conflicting law.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 74. To repeal Sections 2-13-82, 2-13-83, 2-13-85 and 2-13-88, Code of Alabama 1975, which requires milk producers and processors to obtain a joint permit from the State Board of Health and the County Boards of Health in order to do business in Alabama.

Also:

H. 440. To provide a Crime Victims Compensation Commission, procedures relating to their appointment, terms, compensation, powers and duties; to provide provision for office, support, staff and secretarial services of such commission; to provide for awards for compensation, for economic loss under certain circumstances to qualified applicants; to provide for the limiting of awards under certain circumstances; to provide restrictions for Commission authority as to claimant and possible collateral source benefits; to provide for medical examination requirements including limited waiver of physician-patient privilege; to provide award without requirement of prosecution or conviction of any individual; to provide procedures for subrogation rights; to provide for special types of awards procedures; to provide for annual reports and their distribution; to provide further for audits of the Commission; to provide further for surety bond of members, agents and employees; to provide further for the Alabama Crime Victims Compensation Fund and payments thereto by certain persons; to provide further for the taxing or assessing of additional court costs, assessments or penalties; to provide further for the exemption of compensation from state or municipal taxation and certain writs of garnishment or attachment; to provide further for certain persons to be ineligible for compensation; to provide further for criminal penalties to be attached to certain acts by members, agents, or employees of the Commission; to provide further for other criminal penalties in regard to claimants and other persons who perform certain acts or omissions; to provide further for other criminal penalties for persons who perform certain acts in regard to monies or securities of the Commission held in trust or otherwise; and to provide further for other criminal penalties in regard to false claims.

Also:

H. 441. To amend Section 36-30-2, Code of Alabama 1975, which provides for the compensation paid to dependents of peace officers or firemen killed in the performance of duty, so as to increase said compensation.

Also:

H. 626. To amend Code of Alabama 1975, Section 40-20-2, so as to provide for an exemption for certain uses of natural gas from the Privilege Tax on Production.

Also:

H. 627. To amend Code of Alabama 1975, Section 9-17-25, so as to provide for an exemption for certain uses of natural gas from the Conservation and Production Tax.

Also:

H. 656. To amend Section 40-20-8 (c), Code of Alabama, 1975, as last amended, relating to the allocation and distribution of taxes from oil and gas production, so as to provide further for the distribution of taxes collected within the jurisdiction of municipalities.

Also:

H. 707. A bill to amend Act No. 83-498, 1983 Regular Session of the Legislature of Alabama, to make the appropriation contained in said Act No. 83-498 in the amount of Six Million Five Hundred Thousand Dollars (\$6,500,000), constitute and consist of a supplemental appropriation for the period ending September 30, 1983 and an appropriation for subsequent fiscal years, from monies comprising Trust Capital of The Alabama Heritage Trust Fund created by an amendment to the Constitution of Alabama of 1901, proposed by Act No. 81-1178, 1981 Third Special Session, for the purpose of payment by the State of Alabama of requisitions submitted by the Alabama Housing Finance Authority for its payment of costs and expenditures (including funding of debt service reserve funds) incurred by it in the exercise of the powers granted to it by law, and to validate disbursements made to said Authority between August 1, 1983 and October 31, 1983 and to provide that any requisitions paid after December 31, 1983 shall only be made in connection with issuance of single family mortgage revenue bonds, the interest on which is exempt from federal income taxation.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 684. To amend Section 40-9-12 to add Birmingham Football Foundation, Inc., a non-profit corporation, as an organization to which its tax exemption provisions apply.

Also:

H. 296. To amend Code of Alabama 1975, Section 9-11-231 by adding thereto Sections b, c, and d and by renumbering Section 9-11-231 to designate the present section as Section (a); by such amendment to designate the flattened musk turtle (Sternotherus minor depressus) as protected within the meaning of Title 9 of the Code of Alabama of 1975; to prescribe unlawful activities in connection with the flattened musk turtle (Sternotherus minor depressus); to provide that the Alabama Department of Conservation and Natural Resources may issue permits for certain activities in connection with the flattened musk turtle (Sternotherus minor depressus) and to establish criminal penalties for the violation of this Act.

Also:

H. 460. To provide that the governing body of any municipality, with a population of less than 5,000 persons, by resolution duly adopted, may abolish or create a civil service system or other personnel board; to continue all rights, interest and privileges which certain employees have in any civil service or merit system within any such municipality; to prescribe that the provisions of this act shall be construed in pari materia with Section 36-27-6, Code of Alabama 1975, permitting certain governing boards, including municipalities to elect to have its eligible officers and employees participate in the state retirement systems; and to repeal conflicting laws.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

### SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 668. To provide for one additional circuit judgeship each for the 11th, 12th, 13th, 15th and 28th judicial circuits of Alabama; to provide for four additional circuit judgeships for the 10th judicial circuit; to provide for one additional district judgeship for Russell County; to prescribe the jurisdiction, powers, duties, responsibilities and compensation of such judges; to increase the number of circuit judges in each of these judicial circuits by amending Section 12-17-20, Code of Alabama 1975; to provide for the designation of these additional judgeships to particular divisions of the respective circuit courts; to provide for the initial appointment by the Governor of judges to fill these positions beginning October 1, 1984; to provide for the subsequent election of judges to fill these positions; to provide an appropri-

ation to the Unified Judicial System to fund said judgeships; to repeal Acts 82-546 and 82-676; and, to provide an effective date.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 450. To make appropriations for the support and maintenance of the Marion Military Institute for the fiscal year ending September 30, 1985.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

#### MOTION TO SUSPEND RULES ADOPTED

On motion of Rep. Browder, the rules were suspended in order to accept the bill, H. 670 with Senate amendment, after the twenty-ninth legislative day.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 670. Relating to educational reform; providing for a comprehensive plan for improving instruction in science, mathematics, computer education and other designated critical areas; providing for a scholarship loan program to attract able students into the teaching profession in subjects of mathematics, science, computer education and other critical areas; providing a program for certified teachers to add to their certificate mathematics, science, computer education and other critical areas; providing a program whereby provisionally certified persons with extensive preparation in mathematics, science and computer education may serve as an emergency source of teachers; providing rigorous in-service training for public school personnel; amending Sections 16-23-18, 16-23-20, 16-23-21 and 16-23-23, Code of

Alabama 1975, and repealing Section 16-23-19, Code of Alabama 1975, all relating to emergency secondary education scholarships, so as to transfer authority from the administration of the scholarships from the state board of education to the Alabama commission on higher education; creating and providing for the governor's educational reform commission; and providing for appropriations to carry out the provisions of this act.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

On motion of Rep. Browder, the House concurred in and adopted the Senate amendment to the bill, H. 670, said Senate amendment being as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to educational reform; providing for a comprehensive plan for improving instruction in science, mathematics, computer education and other designated critical areas; providing for a scholarship loan program to attract able students into the teaching profession in subjects of mathematics, science, computer education and other critical areas; providing a program for certified teachers to add to their certificate mathematics, science, computer education and other critical areas; providing a program whereby provisionally certified persons with extensive preparation in mathematics, science and computer education may serve as an emergency source of teachers; providing rigorous in-service training for public school personnel; amending Sections 16-23-18, 16-23-20, 16-23-21 and 16-23-23, Code of Alabama 1975, and repealing Section 16-23-19, Code of Alabama 1975, all relating to emergency secondary education scholarships, so as to transfer authority for the administration of the scholarships from the state board of education to the Alabama commission on higher education; creating and providing for the governor's educational reform commission; and providing for appropriations to carry out the provisions of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall be known and may be cited as the Educational Reform Act of 1984.

Section 2. For purposes of this act, the following terms shall have the respective meanings ascribed to them by this section:

- (1) A.C.H.E. The Alabama commission on higher education.
- (2) BOARD OR BOARD OF EDUCATION. The state board of education.
- (3) COMMISSION. The governor's educational reform commission created by this act.
- (4) CRITICAL NEEDS AREAS. Those curriculum and teaching areas where there is an urgent need for action. These areas include mathematics, science, computer education and other areas to be identified from time to time by the state board of education.
- (5) IN-SERVICE EDUCATION. The training of regularly certified education professionals who hold positions in the public schools of the state.

(6) **LOCAL EDUCATIONAL AGENCIES.** County and city boards of education and the school systems over which these boards of education have authority.

(7) **PLAN FOR EXCELLENCE.** A Plan for Excellence; Alabama's Public Schools, a report to the Alabama State Board of Education, Governor George C. Wallace, President and to the Legislature and People of Alabama dated January 12, 1984.

(8) **SUPERINTENDENT.** The Alabama state superintendent of education.

(9) **PUBLIC EDUCATION.** For purposes of this act, public education means kindergarten through the twelfth grade.

Section 3. The legislature finds that a true need exists within the state for improving education. In furtherance of this goal, a "plan for excellence" and other reform reports have been submitted to the legislature and the governor, including therein numerous recommendations that we strongly endorse. It is the intent of the legislature to promote and support the governor's recommended program for improving education. It is further the intent of the legislature that the elements of the governor's program be implemented and that every effort be made to utilize appropriations provided herein and otherwise recommended for each of these areas. It shall be incumbent upon the responsibility of each board of education, superintendent, principal and teacher to help provide the implementation of the program.

Section 4. The governor's program for improving education shall be implemented subject to sufficient appropriations as provided for herein or as provided for in any other appropriation legislation for public education in the state. Such program shall include, but not be limited to, the following:

- (1) Establishment of the governor's educational reform commission;
- (2) Development of a comprehensive plan for improving courses in critical needs areas;
- (3) Authorization for an emergency source of teachers in critical needs areas;
- (4) Provision for a scholarship loan program for undergraduate students enrolled in critical needs areas;
- (5) Establishment of a tuition grant program for presently certified teachers to add critical needs areas;
- (6) Development of regional in-service education centers for teachers in critical needs areas.
- (7) Increase in teacher salaries;
- (8) Full statewide kindergarten program;
- (9) Replacement of school buses;
- (10) Library enhancement;
- (11) Burned-out schools program.

Section 5. (a) There is hereby created the governor's educational reform commission. Such commission shall be composed of the governor, the state superintendent of education, the president of the Alabama parent-



teacher association, the executive director of the Alabama education association, the executive director of the Alabama association of school boards, the executive director of the Alabama commission on higher education, the president of the Alabama education association, the executive director of the Alabama council of school administrators and supervisors, the chancellor of post-secondary education, the president of the Alabama association of school boards, one member of the senate appointed by the governor, one member of the house of representatives appointed by the governor, and three members, of which at least two shall be Black, appointed by the governor, as hereinafter provided. Within 90 days after the passage of this act, the governor shall appoint the aforementioned three members to the commission. Members by virtue of their position shall serve on the commission as long as they serve in their respective position. Members appointed by the governor shall serve at the pleasure of the governor. Vacancies shall be filled in the same manner as the original appointments were made.

(b) To fund the duties and responsibilities enumerated in this act for said commission, there is hereby appropriated to the governor's educational reform commission from the Alabama special educational trust fund the sum of \$100,000 for the fiscal year ending September 30, 1985.

Section 6. (a) The governor shall designate one member of the commission as the chairperson. Such chairperson shall call the meetings of the commission.

(b) The commission may hold such meetings as it may deem necessary. The commission shall adopt rules for its organization in the conduct of its business. A majority of the members of the commission shall constitute a quorum at all its meetings.

(c) Members of the commission shall receive the per diem and travel expenses allowed by law for state officers and employees while engaged in the performance of their duties. Provided, however, that members of the commission who are public educational employees of the state of Alabama shall not be eligible to receive the in-state travel, per diem and expense reimbursement from the appropriation herein made to the commission.

(d) The commission is authorized to employ such staff as are necessary to assist the commission in performing the duties required by this act. The number of employees, their compensation and the other expenditures of the commission shall be within the limits and in compliance with the appropriation made therefor by the legislature and within budgets that shall be approved from time to time by the commission.

Section 7. The commission may study all levels of public education and shall monitor the incorporation of educational reform legislation into existing school programs. It shall also serve in an advisory capacity to the governor and the legislature in respect to all existing and future reform legislation and means of funding such programs. One year after the effective date of this act, and each year thereafter, the commission shall make an annual report to the governor and to the legislature; however, upon the request of either the governor or legislature, reports may be made at any time. The commission shall be dissolved at the end of three years unless otherwise continued by resolution of the legislature.

It is the express intent of the legislature that the commission not duplicate any responsibilities of the state board of education.

Section 8. In addition but not limited to the powers and duties otherwise specified in this act, the commission shall have the following duties:

(a) To study and make recommendations to the governor and the legislature concerning mechanisms for increasing financial support of public education;

(b) To study and make recommendations to the governor and the legislature concerning the state funding formula, including consideration of incentive plans to increase local support;

(c) To study and make recommendations to the governor and legislature concerning capital outlay needs of public education in the state;

(d) To study and make recommendations to the governor and legislature concerning the development of summer camp programs for public school students;

(e) To study and present recommendations to the governor and legislature concerning mathematics, science, and other critical needs areas;

(f) To study and make recommendations to the governor and the legislature concerning the development of a statewide system of teaching excellence awards;

(g) To study and make recommendations to the governor and the legislature concerning the development of a statewide performance evaluation system for professional educators;

(h) To study and make recommendations to the governor and the legislature concerning the Alabama tenure laws for education professionals in the public schools in this state;

(i) To study and make recommendations to the governor and legislature concerning regional in-service education centers in existing institutions of higher education; and

(j) To study and make recommendations to the governor and legislature concerning the development of a career ladder and merit pay plan for all regularly certified education professionals in the public schools of this state. The commission shall recommend its program no later than the fifth legislative day of the 1985 Regular Session.

Section 9. (a) The state board of education shall develop and establish a comprehensive plan for improving courses in science, mathematics, computer education and other critical needs areas. In developing such plan, the superintendent shall consult with teacher organizations, school personnel, legislative leaders, the governor's office, representatives from private industry, public and private higher education and from the fields of education, mathematics, science and computer education. Such program shall be divided into three phases with the first phase being introduced at the beginning of the 1985-1986 school year and another phase to begin each of the following two years. The entire program should be operative at the end of three years.

(b) The comprehensive plan shall provide a framework for the preparation and approval of programs, provide direction for program development and shall include the following provisions:

(1) Identification of curricular goals and expected outcomes;

(2) Preparation of instructional materials lists;

(3) Development of descriptions and cost estimates for providing cur-

ricular development, laboratories, equipment, supplies and facilities to implement programs for improvement in school systems or individual schools;

(4) Development of recommended course content to satisfy the new requirements for high school graduation. Consideration shall be given to student goals and needs;

(5) Development of a plan for continuous monitoring and evaluation of the programs, including classroom instructional needs as identified by teachers; and

(6) Solicitation of proposals and funding those programs that meet high standards of excellence.

Section 10. (a) Local school boards are hereby authorized, pursuant to rules and regulations established by the state board of education, to employ provisionally certified persons from business, industry or other areas or military retirees who have extensive preparation in mathematics, science, computer education and other critical needs areas for a period not to exceed one year with a limit of three years total employment. Such persons may be employed provided:

(1) They have at least a bachelor's degree in the subject they are assigned to teach;

(2) There are no regularly certified teachers available to teach the course to be taught by these persons; and

(3) They are evaluated regularly and offered proper guidance by their supervisors.

(b) The time served as a provisionally certified teacher under this section shall not count toward time earned for tenure.

(c) The employment of provisionally certified teachers under this section shall serve to supply an emergency source of teachers in critical needs areas and shall not be considered a permanent means of acquiring teachers in any area.

Section 11. There is hereby established a program for scholarship loans to provide for the education of qualified undergraduate students who are enrolled in teacher education programs in the fields of mathematics, science, computer education and other projected critical needs areas at institutions where the teacher education programs have been approved by the state board of education. For the first year of the scholarship loan program, at least 80 percent of the funds awarded for such loans shall be awarded in the areas of mathematics, science and computer education. Remaining funds shall be available for teacher shortages in other critical areas. The state board of education shall designate the critical areas other than mathematics, science and computer education when they exist. The responsibility and authority for administering the scholarship loan program shall be vested in the Alabama commission on higher education effective October 1, 1984.

Section 12. To be eligible for a scholarship loan, an applicant shall:

(1) Be a full-time undergraduate student at the upper division level in a teacher education program approved by the board;

(2) Have entered into an agreement with the state board of education to teach in the public schools of Alabama for three years following completion of the teacher education requirements; and

(3) Have a record of high performance in the area of certification.

(4) Not be the recipient of proceeds available to resident students through the Alabama student grant program.

Section 13. (a) Each scholarship loan shall be in an amount not to exceed \$4,000 per annum and shall be for not more than two years.

(b) Any scholarship loan extended under this act may be repaid to the Alabama commission on higher education in cash in full with interest from the date of completion of the teacher education program of studies at the prevailing rate charged recipients of non-need-based federal guaranteed student loans. Repayments in full must be completed within ten years of the completion of the program of studies.

(c) The scholarship loan or any part thereof may be repaid by service in the teaching of mathematics, science, computer education and other projected critical areas, as determined by the state board of education. Payment credit for one year of a scholarship loan shall be granted for each three school years of teaching in the public schools of the state.

(d) Any scholarship loan recipient who fails to complete a program of study or who fails to teach in a public school of the state as required by this act shall repay all loan amounts immediately with interest calculated from the date of his withdrawal or removal at the prevailing rate charged recipients of non-need-based federal guaranteed student loans.

(e) Each recipient of a scholarship loan under the provisions of this act shall enter into an agreement with the Alabama commission on higher education whereby he agrees to teach mathematics, science, computer education or other critical subject areas as determined by the state board of education in the public schools of the state. Any breach of contract on the part of the recipient makes him immediately liable for the unpaid balance of his loan. The executive director of the Alabama commission on higher education shall require Alabama institutions of higher education to withhold the release of any records of a recipient who fails to satisfy his agreement with the Alabama commission on higher education. The attorney general or any district attorney, upon the request of the Alabama commission on higher education, shall institute proceedings in the name of the state for the purpose of recovering any amount due the state under the provisions of this act. In the event of death or total or permanent disability of the recipient to teach, repayment of the loan may be excused by the Alabama commission on higher education.

Section 14. The Alabama commission on higher education shall have the authority to make reasonable rules and regulations for implementing and carrying out the provisions of this act relating to the scholarship loan program.

Section 15. The Alabama commission on higher education shall implement a tuition grant program for certified teachers. Tuition grants in institutions of higher education for adding mathematics, science, computer education or other critical needs areas to their certificates shall be provided to able teachers certified in subject areas not designated critical needs areas. The Alabama commission on higher education shall adopt rules to implement the mathematics, science, computer education or other critical needs areas tuition reimbursement program. Any full-time regularly certified public school teacher in Alabama shall be eligible for this program. Tuition reimbursement shall be limited to courses in mathematics, science, computer education or other critical areas as determined by the board. Such courses

shall be graduate level courses leading to a new certification area or approved undergraduate courses leading to a new certification area. Participants may receive tuition reimbursements not to exceed 36 semester or 54 quarter hours in an approved teacher education program in Alabama; such reimbursement shall not exceed \$4,000 per annum. All reimbursements will be contingent on the participant's maintaining a B average on all work attempted. Teachers participating in the tuition reimbursement program shall be eligible for all summer programs and other programs and incentives open to mathematics, science and computer education teachers. Each tuition reimbursement recipient must sign a letter of commitment to the Alabama commission on higher education agreeing that upon the completion of coursework required for certification in a critical needs area, he will teach two full years of secondary mathematics, science, computer education or other critical needs area for each full academic year the grant is received. The executive director of the Alabama commission on higher education shall require Alabama institutions of higher education to withhold the release of any records of a recipient who fails to satisfy his agreement with the Alabama commission on higher education.

Section 16. Sections 16-23-18, 16-23-20, 16-23-21, and 16-23-23, Code of Alabama 1975, are hereby amended to read as follows:

“§ 16-23-18.

~~“The state board of education~~ Alabama commission on higher education shall establish a scholarship program entitled, ‘emergency secondary education scholarships.’ The scholarship fund shall be limited to \$50,000.00 annually appropriated from the Alabama special educational trust fund. ~~The state board of education~~ Alabama commission on higher education shall be responsible for determining the number of scholarships to be awarded and the amount designated for each scholarship recipient. ~~The amount of each scholarship may vary according to the cost of attendance at various institutions of higher education in Alabama. The scholarships shall cover the cost of tuition, room, board and books, with a minimum dollar amount approved by the state superintendent of education.~~

“§ 16-23-20.

~~“The the state superintendent of education~~ executive director of the Alabama commission on higher education shall recommend scholarship selection criteria and applicant screening procedures for approval by the ~~state board of education~~ Alabama commission on higher education. The office of the ~~state superintendent~~ executive director of the Alabama commission on higher education shall serve as the receiving office for scholarship applications. ~~The state superintendent~~ executive director of the Alabama commission on higher education shall develop an application form and shall have the responsibility for circulating the form to all ~~high school guidance offices,~~ city and county superintendent offices and offices of the deans and directors of education at Alabama's institutions of higher education. ~~The state board of education~~ Alabama commission on higher education, upon recommendation of the ~~state superintendent~~ executive director, shall approve the annual scholarship recipients.

“§ 16-23-21.

“Each scholarship recipient must sign a letter of commitment to the ~~state board of education~~ Alabama commission on higher education agreeing that upon graduation he or she will teach one two full years of secondary ~~mathematics, chemistry, physics, biology or general science or computer ed-~~

ucation in the public secondary schools of Alabama for every full year or partial year the scholarship is received. The letter of commitment shall be binding upon the recipient. ~~The letter of commitment shall include a penalty clause stating that if the recipient discontinues study in secondary mathematics, physics, chemistry or general science education, or fails to teach the required number of years in the public schools, the recipient must repay to the state within five years the total amount of scholarship funds received plus interest at a rate agreed by the state board of education and the recipient at the time the scholarship was granted.~~ Said letter of commitment shall be considered a legal contract and the state board of education Alabama commission on higher education shall pursue necessary legal action to enforce the contract.

"In addition, should scholarship recipients who have completed their teacher training with the assistance of the scholarship program and have been awarded a certificate to teach fail to comply with the conditions of the letter of compliance, the state superintendent of education shall be authorized to revoke the teaching certificate of the recipients.

"§ 16-23-23.

"Upon this section becoming law, ~~the state board of education and the state superintendent of education~~ Alabama commission on higher education and its executive director shall be authorized to take all necessary administrative action and promulgate rules and regulations to carry out the intent and purpose of this chapter."

Section 17. There is hereby appropriated from the Alabama special educational trust fund for the fiscal year beginning October 1, 1984, to the Alabama commission on higher education the sum of \$1,000,000 to fund the provisions of Sections 11 through 16 of this act. All moneys shall remain in the Alabama special educational trust fund until obligations have been incurred under the provisions of Sections 11 through 16 hereof.

Section 18. (a) A comprehensive plan shall be established by the governor's educational reform commission and implemented for the development and location of in-service education centers for the purpose of providing rigorous in-service training in critical needs areas for the state's public school personnel. These in-service centers shall not replace the plan for in-service education which the state department of education adopted by resolution on June 14, 1978. The in-service centers established pursuant to this act shall be located in existing institutions of higher education located in strategic areas of the state as recommended by the commission and approved by the governor. Institutions of higher education where such in-service centers may be located shall have resident faculty members in education and the academic areas taught in the public schools.

(b) In addition, the commission may contract with individuals or institutions to provide approved in-service training as defined in this section.

(c) A governing board shall be organized for each in-service center. The governing board of each center shall include representatives from the state department of education, teachers and administrators from the local school systems and the institution of higher education where the center is located. Such governing board shall, in cooperation with the staff of the state department of education, determine policy, programs and hours of operation of the particular in-service center.

(d) The in-service centers provided for in this section shall:

- (1) Provide a number of days' training each year, usually in the summer, for instructional personnel in critical needs areas;
- (2) Be open at a specified time during the year for use;
- (3) Provide specialized help to instructional personnel;
- (4) Have a director named from the local institution's faculty; and
- (5) Serve as a data-gathering center for research in areas of public education. Local university, college or community college personnel shall be utilized to conduct the research.

(e) Each local school system shall affiliate with the in-service center in its region and shall participate in the planning of written programs for public school personnel in the area.

(f) All in-service centers shall be fully operative by July 1, 1985.

(g) To carry out the provisions of Section 18 of this act, there is hereby appropriated from the Alabama special educational trust fund the sum of \$500,000 for the fiscal year ending September 30, 1985.

Section 19. Local education agencies shall establish with each regularly certified professional a contract of employment which is no less than 185 days in length, subject to sufficient legislative appropriations over and beyond any cost-of-living raise provided by the legislature. No less than five days of the 185 contract days shall be used for in-service and professional development activities.

Section 20. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 21. All laws or parts of laws which conflict with this act are hereby repealed, and Section 16-23-19, Code of Alabama 1975, is hereby specifically repealed.

Section 22. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to educational reform; providing for a comprehensive plan for improving instruction in science, mathematics, computer education and other designated critical areas; providing for a scholarship loan program to attract able students into the teaching profession in subjects of mathematics, science, computer education and other critical areas; providing a program for certified teachers to add to their certificate mathematics, science, computer education and other critical areas; providing a program whereby provisionally certified persons with extensive preparation in mathematics, science and computer education may serve as an emergency source of teachers; providing rigorous in-service training for public school personnel; amending Sections 16-23-18, 16-23-20, 16-23-21 and 16-23-23, Code of Alabama 1975, and repealing Section 16-23-19, Code of Alabama 1975, all relating to emergency secondary education scholarships, so as to transfer authority for the administration of the scholarships from the state board of education to the Alabama commission on higher education; creating and providing for the governor's educational reform commission; and providing for appropriations to carry out the provisions of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall be known and may be cited as the Educational Reform Act of 1984.

Section 2. For purposes of this act, the following terms shall have the respective meanings ascribed to them by this section:

- (1) A.C.H.E. The Alabama commission on higher education.
- (2) BOARD OR BOARD OF EDUCATION. The state board of education.
- (3) COMMISSION. The governor's educational reform commission created by this act.
- (4) CRITICAL NEEDS AREAS. Those curriculum and teaching areas where there is an urgent need for action. These areas include mathematics, science, computer education and other areas to be identified from time to time by the state board of education.
- (5) IN-SERVICE EDUCATION. The training of regularly certified education professionals who hold positions in the public schools of the state.
- (6) LOCAL EDUCATIONAL AGENCIES. County and city boards of education and the school systems over which these boards of education have authority.
- (7) PLAN FOR EXCELLENCE. A Plan for Excellence; Alabama's Public Schools, a report to the Alabama State Board of Education, Governor George C. Wallace, President and to the Legislature and People of Alabama dated January 12, 1984.
- (8) SUPERINTENDENT. The Alabama state superintendent of education.
- (9) PUBLIC EDUCATION. For purposes of this act, public education means kindergarten through the twelfth grade.

Section 3. The legislature finds that a true need exists within the state for improving education. In furtherance of this goal, a "plan for excellence" and other reform reports have been submitted to the legislature and the governor, including therein numerous recommendations that we strongly endorse. It is the intent of the legislature to promote and support the governor's recommended program for improving education. It is further the intent of the legislature that the elements of the governor's program be implemented and that every effort be made to utilize appropriations provided herein and otherwise recommended for each of these areas. It shall be incumbent upon and the responsibility of each board of education, superintendent, principal and teacher to help provide the implementation of the program.

Section 4. The governor's program for improving education shall be implemented subject to sufficient appropriations as provided for herein or as provided for in any other appropriation legislation for public education in the state. Such program shall include, but not be limited to, the following:

- (1) Establishment of the governor's educational reform commission;
- (2) Development of a comprehensive plan for improving courses in critical needs areas;



- (3) Authorization for an emergency source of teachers in critical needs areas;
- (4) Provision for a scholarship loan program for undergraduate students enrolled in critical needs areas;
- (5) Establishment of a tuition grant program for presently certified teachers to add critical needs areas;
- (6) Development of regional in-service education centers for teachers in critical needs areas;
- (7) Increase in teacher salaries;
- (8) Full statewide kindergarten program;
- (9) Replacement of school buses;
- (10) Library enhancement;
- (11) Burned-out schools program.

Section 5. (a) There is hereby created the governor's educational reform commission. Such commission shall be composed of the governor, the state superintendent of education, the president of the Alabama parent-teacher association, the executive director of the Alabama education association, the executive director of the Alabama association of school boards, the executive director of the Alabama commission on higher education, the president of the Alabama education association, the executive director of the Alabama council of school administrators and supervisors, the chancellor of post-secondary education, one member who shall be a business person appointed by the governor upon the recommendation of the Alabama association of school boards, one member of the senate appointed by the governor, one member of the house of representatives appointed by the governor, and three black members appointed by the governor as hereinafter provided. Within 90 days after the passage of this act, the governor shall appoint the aforementioned three members to the commission. Members by virtue of their position shall serve on the commission as long as they serve in their respective position. Members appointed by the governor shall serve at the pleasure of the governor. Vacancies shall be filled in the same manner as the original appointments were made.

(b) To fund the duties and responsibilities enumerated in this act for said commission, there is hereby appropriated to the governor's educational reform commission from the Alabama special educational trust fund the sum of \$100,000 for the fiscal year ending September 30, 1985.

Section 6. (a) The governor shall designate one member of the commission as the chairperson. Such chairperson shall call the meetings of the commission.

(b) The commission may hold such meetings as it may deem necessary. The commission shall adopt rules for its organization in the conduct of its business. A majority of the members of the commission shall constitute a quorum at all its meetings.

(c) Members of the commission shall receive the per diem and travel expenses allowed by law for state officers and employees while engaged in the performance of their duties.

(d) The commission is authorized to employ such staff as are necessary to assist the commission in performing the duties required by this act.

The number of employees, their compensation and the other expenditures of the commission shall be within the limits and in compliance with the appropriation made therefor by the legislature and within budgets that shall be approved from time to time by the commission.

Section 7. The commission may study all levels of public education and shall monitor the incorporation of educational reform legislation into existing school programs. It shall also serve in an advisory capacity to the governor and the legislature in respect to all existing and future reform legislation and means of funding such programs. One year after the effective date of this act, and each year thereafter, the commission shall make an annual report to the governor and to the legislature; however, upon the request of either the governor or legislature, reports may be made at any time. The commission shall be dissolved at the end of three years unless otherwise continued by resolution of the legislature.

It is the express intent of the legislature that the commission not duplicate any responsibilities of the state board of education.

Section 8. In addition but not limited to the powers and duties otherwise specified in this act, the commission shall have the following duties:

(a) To study and make recommendations to the governor and the legislature concerning mechanisms for increasing financial support of public education;

(b) To study and make recommendations to the governor and the legislature concerning the state funding formula, including consideration of incentive plans to increase local support;

(c) To study and make recommendations to the governor and legislature concerning capital outlay needs of public education in the state;

(d) To study and make recommendations to the governor and legislature concerning the development of summer camp programs for public school students;

(e) To study and present recommendations to the governor and legislature concerning mathematics, science, and other critical needs areas;

(f) To study and make recommendations to the governor and the legislature concerning the development of a statewide system of teaching excellence awards;

(g) To study and make recommendations to the governor and the legislature concerning the development of a statewide performance evaluation system for professional educators;

(h) To study and make recommendations to the governor and the legislature concerning the Alabama tenure laws for education professionals in the public schools in this state;

(i) To study and make recommendations to the governor and legislature concerning regional in-service education centers in existing institutions of higher education; and

(j) To study and make recommendations to the governor and legislature concerning the development of a career ladder and merit pay plan for all regularly certified education professionals in the public schools of this state. The commission shall recommend its program no later than the fifth legislative day of the 1985 Regular Session.

Section 9. (a) The state board of education shall develop and establish a comprehensive plan for improving courses in science, mathematics, computer education and other critical needs areas. In developing such plan, the superintendent shall consult with teacher organizations, school personnel, legislative leaders, the governor's office, representatives from private industry, public and private higher education and from the fields of education, mathematics, science and computer education. Such program shall be divided into three phases with the first phase being introduced at the beginning of the 1985-1986 school year and another phase to begin each of the following two years. The entire program should be operative at the end of three years.

(b) The comprehensive plan shall provide a framework for the preparation and approval of programs, provide direction for program development and shall include the following provisions:

- (1) Identification of curricular goals and expected outcomes;
- (2) Preparation of instructional materials lists;
- (3) Development of descriptions and cost estimates for providing curricular development, laboratories, equipment, supplies and facilities to implement programs for improvement in school systems or individual schools;
- (4) Development of recommended course content to satisfy the new requirements for high school graduation. Consideration shall be given to student goals and needs;
- (5) Development of a plan for continuous monitoring and evaluation of the programs, including classroom instructional needs as identified by teachers; and
- (6) Solicitation of proposals and funding those programs that meet high standards of excellence.

Section 10. (a) Local school boards are hereby authorized, pursuant to rules and regulations established by the state board of education, to employ provisionally certified persons from business, industry or other areas or military retirees who have extensive preparation in mathematics, science, computer education and other critical needs areas for a period not to exceed one year with a limit of three years total employment. Such persons may be employed provided:

- (1) They have at least a bachelor's degree in the subject they are assigned to teach;
- (2) There are no regularly certified teachers available to teach the course to be taught by these persons; and
- (3) They are evaluated regularly and offered proper guidance by their supervisors.

(b) The time served as a provisionally certified teacher under this section shall not count toward time earned for tenure.

(c) The employment of provisionally certified teachers under this section shall serve to supply an emergency source of teachers in critical needs areas and shall not be considered a permanent means of acquiring teachers in any area.

Section 11. There is hereby established a program for scholarship loans to provide for the education of qualified undergraduate students who

are enrolled in teacher education programs in the fields of mathematics, science, computer education and other projected critical needs areas at institutions where the teacher education programs have been approved by the state board of education. For the first year of the scholarship loan program, at least 80 percent of the funds awarded for such loans shall be awarded in the areas of mathematics, science and computer education. Remaining funds shall be available for teacher shortages in other critical areas. The state board of education shall designate the critical areas other than mathematics, science and computer education when they exist. The responsibility and authority for administering the scholarship loan program shall be vested in the Alabama commission on higher education effective October 1, 1984.

Section 12. To be eligible for a scholarship loan, an applicant shall:

- (1) Be a full-time undergraduate student at the upper division level in a teacher education program approved by the board;
- (2) Have entered into an agreement with the Alabama commission on higher education to teach in the public schools of Alabama for two years following completion of the teacher education requirements;
- (3) Have a record of high performance in the area of certification; and
- (4) Not be the recipient of proceeds available to resident students through the Alabama student grant program.

Section 13. (a) Each scholarship loan shall be in an amount not to exceed \$4,000 per annum and shall be for not more than two years.

(b) Any scholarship loan extended under this act may be repaid to the Alabama commission on higher education in cash in full with interest from the date of completion of the teacher education program of studies at the prevailing rate charged recipients of non-need-based federal guaranteed student loans. Repayments in full must be completed within ten years of the completion of the program of studies.

(c) The scholarship loan or any part thereof may be repaid by service in the teaching of mathematics, science, computer education and other projected critical areas, as determined by the state board of education. Payment credit for one year of a scholarship loan shall be granted for each three school years of teaching in the public schools of the state.

(d) Any scholarship loan recipient who fails to complete a program of study or who fails to teach in a public school of the state as required by this act shall repay all loan amounts immediately with interest calculated from the date of his withdrawal or removal at the prevailing rate charged recipients of non-need-based federal guaranteed student loans.

(e) Each recipient of a scholarship loan under the provisions of this act shall enter into an agreement with the Alabama commission on higher education whereby he agrees to teach mathematics, science, computer education or other critical subject areas as determined by the state board of education in the public schools of the state. Any breach of contract on the part of the recipient makes him immediately liable for the unpaid balance of his loan. The executive director of the Alabama commission on higher education shall require Alabama institutions of higher education to withhold the release of any records of a recipient who fails to satisfy his agreement with the Alabama commission on higher education. The attorney general or any district attorney, upon the request of the Alabama commission on higher education, shall institute proceedings in the name of the state for

the purpose of recovering any amount due the state under the provisions of this act. In the event of death or total and permanent disability of the recipient to teach, repayment of the loan may be excused by the Alabama commission on higher education.

Section 14. The Alabama commission on higher education shall have the authority to make reasonable rules and regulations for implementing and carrying out the provisions of this act relating to the scholarship loan program.

Section 15. The Alabama commission on higher education shall implement a tuition grant program for certified teachers. Tuition grants in institutions of higher education for adding mathematics, science, computer education or other critical needs areas to their certificates shall be provided to able teachers certified in subject areas not designated critical needs areas. The Alabama commission on higher education shall adopt rules to implement the mathematics, science, computer education or other critical needs areas tuition reimbursement program. Any full-time regularly certified public school teacher in Alabama shall be eligible for this program. Tuition reimbursement shall be limited to courses in mathematics, science, computer education or other critical areas as determined by the board. Such courses shall be graduate level courses leading to a new certification area or approved undergraduate courses leading to a new certification area. Participants may receive tuition reimbursements not to exceed 36 semester or 54 quarter hours in an approved teacher education program in Alabama; such reimbursement shall not exceed \$4,000 per annum. All reimbursements will be contingent on the participant's maintaining a B average on all work attempted. Teachers participating in the tuition reimbursement program shall be eligible for all summer programs and other programs and incentives open to mathematics, science and computer education teachers. Each tuition reimbursement recipient must sign a letter of commitment to the Alabama commission on higher education agreeing that upon the completion of coursework required for certification in a critical needs area, he will teach two full years of secondary mathematics, science, computer education or other critical needs area for each full academic year the grant is received. The executive director of the Alabama commission on higher education shall require Alabama institutions of higher education to withhold the release of any records of a recipient who fails to satisfy his agreement with the Alabama commission on higher education.

Section 16. Sections 16-23-18, 16-23-20, 16-23-21, and 16-23-23, Code of Alabama 1975, are hereby amended to read as follows:

“§ 16-23-18.

~~“The state board of education Alabama commission on higher education shall establish a scholarship program entitled, ‘emergency secondary education scholarships.’ The scholarship fund shall be limited to \$50,000.00 annually appropriated from the Alabama special educational trust fund. The state board of education Alabama commission on higher education shall be responsible for determining the number of scholarships to be awarded and the amount designated for each scholarship recipient. The amount of each scholarship may vary according to the cost of attendance at various institutions of higher education in Alabama. The scholarships shall cover the cost of tuition, room, board and books, with a minimum dollar amount approved by the state superintendent of education.~~

“§ 16-23-20.

"The state superintendent of education executive director of the Alabama commission on higher education shall recommend scholarship selection criteria and applicant screening procedures for approval by the state board of education Alabama commission on higher education. The office of the state superintendent executive director of the Alabama commission on higher education shall serve as the receiving office for scholarship applications. The state superintendent executive director of the Alabama commission on higher education shall develop an application form and shall have the responsibility for circulating the form to all high school guidance offices, city and county superintendent offices and offices of the deans and directors of education at Alabama's institutions of higher education. The state board of education Alabama commission on higher education, upon recommendation of the state superintendent executive director, shall approve the annual scholarship recipients.

"§ 16-23-21.

"Each scholarship recipient must sign a letter of commitment to the state board of education Alabama commission on higher education agreeing that upon graduation he or she will teach one two full years of secondary mathematics, chemistry, physics, biology or general science or computer education in the public secondary schools of Alabama for every full year or partial year the scholarship is received. The letter of commitment shall be binding upon the recipient. The letter of commitment shall include a penalty clause stating that if the recipient discontinues study in secondary mathematics, physics, chemistry or general science education, or fails to teach the required number of years in the public schools, the recipient must repay to the state within five years the total amount of scholarship funds received plus interest at a rate agreed by the state board of education and the recipient at the time the scholarship was granted. Said letter of commitment shall be considered a legal contract and the state board of education Alabama commission on higher education shall pursue necessary legal action to enforce the contract.

"In addition, should scholarship recipients who have completed their teacher training with the assistance of the scholarship program and have been awarded a certificate to teach fail to comply with the conditions of the letter of compliance, the state superintendent of education shall be authorized to revoke the teaching certificate of the recipients.

"§ 16-23-23.

"Upon this section becoming law, the state board of education and the state superintendent of education Alabama commission on higher education and its executive director shall be authorized to take all necessary administrative action and promulgate rules and regulations to carry out the intent and purpose of this chapter."

Section 17 There is hereby appropriated from the Alabama special educational trust fund for the fiscal year beginning October 1, 1984, to the Alabama commission on higher education the sum of \$1,000,000 to fund the provisions of Sections 11 through 16 of this act. All moneys shall remain in the Alabama special educational trust fund until obligations have been incurred under the provisions of Sections 11 through 16 hereof.

Section 18. (a) A comprehensive plan shall be established by the governor's educational reform commission and implemented for the development and location of in-service education centers for the purpose of providing rigorous in-service training in critical needs areas for the state's public

school personnel. These in-service centers shall not replace the plan for in-service education which the state department of education adopted by resolution on June 14, 1978. The in-service centers established pursuant to this act shall be located in existing institutions of higher education located in strategic areas of the state as recommended by the commission and approved by the governor. Institutions of higher education where such in-service centers may be located shall have resident faculty members in education and the academic areas taught in the public schools.

(b) In addition, the commission may contract with individuals or institutions to provide approved in-service training as defined in this section.

(c) A governing board shall be organized for each in-service center. The governing board of each center shall include representatives from the state department of education, teachers and administrators from the local school systems and the institution of higher education where the center is located. Such governing board shall, in cooperation with the staff of the state department of education, determine policy, programs and hours of operation of the particular in-service center.

(d) The in-service centers provided for in this section shall:

(1) Provide a number of days' training each year, usually in the summer, for instructional personnel in critical needs areas;

(2) Be open at a specified time during the year for use;

(3) Provide specialized help to instructional personnel;

(4) Have a director named from the local institution's faculty; and

(5) Serve as a data-gathering center for research in areas of public education. Local university, college or community college personnel shall be utilized to conduct the research.

(e) Each local school system shall affiliate with the in-service center in its region and shall participate in the planning of written programs for public school personnel in the area.

(f) All in-service centers shall be fully operative by July 1, 1985.

(g) To carry out the provisions of Section 18 of this act, there is hereby appropriated from the Alabama special educational trust fund the sum of \$500,000 for the fiscal year ending September 30, 1985.

Section 19. Local education agencies shall establish with each regularly certified professional a contract of employment which is no less than 185 days in length, subject to sufficient legislative appropriations over and beyond any cost-of-living raise provided by the legislature. No less than five days of the 185 contract days shall be used for in-service and professional development activities.

Section 20. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 21. All laws or parts of laws which conflict with this act are hereby repealed, and Section 16-23-19, Code of Alabama 1975, is hereby specifically repealed.

Section 22. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 77; Nays 3.

Yeas:

Mr. Speaker, Beers, Blake, Blakeney, Boles, Box, Brakefield, Britnell, Brooks, Browder, Bryant, Bugg, Burke, Buskey (James), Buskey (John), Butler, Campbell, Carothers, Carter, Clark (D), Clark (J), Clark (W), Coleman, Crow, Davis, Escott, Faulk, Flowers, Ford, Gaston, Goodwin, Grouby, Hall, Harvey, Hettinger, Holley, Holmes, Hooper, Horn, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McDowell, McMillan, Martin, Mathis, Melton, Moore, Newman, Nicholson, Onderdonk, Parker, Payne, Penry, Perdue, Poole, Pratt, Rice, Richardson, Rogers, Seibels, Spratt, Starkey, Starr, Tanner, Thomas, Trammell, Turnham, Warren, White (F), White (G) and Zoghby.

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Nays: Reps.: Adams, Cosby and McKee.

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#### MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

S. 185. To amend Sections 12-19-90, 7-9-403, 7-9-404, 7-9-405, 7-9-406, 7-9-407, 9-11-37, 9-11-47, 9-11-55, 9-11-56, 33-5-10, 33-5-17, 40-12-2, 40-12-15 and 40-12-22, Code of Alabama, 1975, as amended, which relate to the fees and charges for services rendered in the probate offices of this state, so as to provide further for the fees and charges for services rendered in such offices.

said Governor's Message being in words and figures as follows: to-wit:

#### MESSAGE FROM THE GOVERNOR

To The Alabama Senate  
State Capitol  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I transmit herewith a message from Governor George C. Wallace returning to you, the House from which it originated, Senate Bill No. 185 as substituted and amended, without the Governor's signature and approval but with the following suggested Executive Amendment.

DONE this 3rd day of May, 1984.

Respectfully submitted,  
ELVIN L. STANTON,  
Executive Secretary.

#### MESSAGE FROM THE GOVERNOR

To The Alabama Senate  
State Capitol  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I am returning to you, the body in which it originated, Senate Bill No. 185, as substituted and amended, without my signature and approval



but with a suggested Executive Amendment which would make this bill acceptable to me.

Senate Bill No. 185, as substituted and amended, will seriously impair the functioning of probate offices in counties of this state in which the probate judge is compensated by fees. The effect of an amendment which was added to the bill on the floor of the House would be to limit the amount of fees that could be received by probate judges in the aforementioned counties. Net income to these probate judges would be severely reduced and in some cases the probate judge's net income would be totally eliminated after the expenses of operating the probate office are subtracted.

For these reasons and for other related reasons I offer the following Executive Amendment:

EXECUTIVE AMENDMENT TO S. 185 AS SUBSTITUTED AND  
AMENDED

Amend S. 185, in the title on page one by deleting lines 12, 13, 14 and 15 and inserting in lieu thereof the following: for services rendered in such offices and to provide for certain limits on the net annual income that may be received by probate judges of this state who are compensated on a fee basis unless otherwise provided by local law.

Further amend the bill on page 24, line 13 by deleting in its entirety Section 8 and inserting in lieu thereof the following:

Section 8. It is further provided that probate judges of this State who are compensated on a fee basis shall not receive a net annual income from fees of greater than \$75,000.00, unless otherwise provided by local law. All fees generated and collected after said judges are so compensated shall be deposited in the general funds of their respective counties.

The adoption of the above and foregoing suggested Executive Amendment will remove my objections to this bill.

DONE this 3rd day of May, 1984.

Respectfully submitted,  
GEORGE C. WALLACE,  
Governor.

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, S. B. 185, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 21, Nays 0.

And said Bill, S. B. 185, together with the Executive amendment, is herewith sent to the House for its consideration.

McDOWELL LEE,  
Secretary.

SENATE MESSAGE

Rep. Adams offered the motion that the House concur in and adopt the amendment proposed by His Excellency, the Governor, to the bill, S. 185, said Governor's amendment being set out in the above and foregoing Message from the Senate.

SUBSTITUTE MOTION TABLED

On motion of Rep. Adams, the substitute motion offered by Rep.

Holmes to temporarily postpone further consideration of the bill, S. 185, and the Executive amendment, was tabled.

Yeas 49; Nays 34.

*Yeas:*

Mr. Speaker, Adams, Albright, Blake, Blakeney, Boles, Box, Britnell, Browder, Bryant, Bugg, Campbell, Carter, Clark (J), Coburn, Coleman, Cosby, Crow, Ford, Fuller, Hammett, Hettinger, Holley, Johnson (R.G.), Johnson (Roy), Junkins, Laird, Lauderdale, Lindsey, McMillan, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Poole, Pratt, Rice, Richardson, Tanner, Trammell, Turner, Venable, Warren, White (L) and Zoghby.

—49

*Nays:*

Reps.: Bachus, Brooks, Buskey (John), Butler, Carothers, Davis, Escott, Flowers, Gaston, Gray, Grayson, Grouby, Hall, Harper, Holmes, Hooper, Horn, Kvalheim, McDowell, McKee, McNair, Mathis, Perdue, Rains, Reed, Rogers, Sasser, Seibels, Spratt, Starkey, Starr, Turnham, White (F) and White (G).

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#### EXECUTIVE AMENDMENT ADOPTED

The question was then on the adoption of the amendment proposed by His Excellency, the Governor, to the bill, S. 185, and on motion of Rep. Adams, the House Concurred in and adopted the amendment.

Yeas 60; Nays 22.

*Yeas:*

Mr. Speaker, Adams, Albright, Bachus, Black, Blake, Blakeney, Boles, Box, Brakefield, Britnell, Browder, Bryant, Bugg, Buskey (John), Campbell, Carter, Clark (D), Clark (J), Coburn, Coleman, Cosby, Crow, Davis, Escott, Faulk, Hammett, Harvey, Hettinger, Holley, Johnson (R.G.), Johnson (Roy), Junkins, Kennedy, Laird, Lauderdale, Lindsey, McMillan, Marietta, Martin, Melton, Mitchell, Moore, Newman, Nicholson, Onderdonk, Penry, Poole, Pratt, Reed, Rice, Richardson, Sasser, Spratt, Tanner, Trammell, Turner, Venable, Warren and White (L).

—60

*Nays:*

Reps.: Brooks, Butler, Carothers, Gaston, Gray, Grayson, Grouby, Hall, Harper, Hooper, Kvalheim, McDowell, McKee, McNair, Mathis, Payne, Rains, Seibels, Starkey, Starr, White (F) and White (G).

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#### MOTION TO ADJOURN LOST

The motion offered by Rep. Carothers that the House adjourn sine die, was lost.

Yeas 25; Nays 67.

*Yeas:*

Rep.: Beers, Brakefield, Burke, Carothers, Davis, Faulk, Flowers, Ford,

Gray, Grayson, Harper, Harvey, Hooper, Johnson (R.G.), Johnson (Roy), McDowell, McKee, Martin, Mathis, Payne, Rains, Rogers, Seibels, Starkey and Turnham.

—25

*Nays:*

Mr. Speaker, Adams, Albright, Bachus, Black, Blake, Blakeney, Boles, Box, Britnell, Brooks, Browder, Bryant, Buskey (James), Buskey (John), Butler, Campbell, Carter, Clark (J), Clark (W), Coburn, Coleman, Cosby, Crow, Escott, Gaston, Grouby, Hall, Hammett, Hettinger, Holley, Horn, Junkins, Kennedy, Kvalheim, Laird, Lauderdale, Lindsey, McMillan, McNair, Melton, Mikell, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Poole, Pratt, Reed, Rice, Richardson, Sasser, Spratt, Starr, Tanner, Thomas, Trammell, Turner, Venable, Warren, White (F), White (G), White (L) and Zoghby.

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## REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirtieth legislative day and finds the same to be correct.

JIMMY CLARK,  
Chairman.

On motion of Rep. Clark, J., the reading at length of the Journal of the House for the thirtieth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirtieth legislative day was approved.

## H. 222 AGAIN TAKEN UP

And the bill, H. 222, and the Senate amendment which previously were temporarily postponed, were again taken up.

The question was then on the motion offered by Rep. Campbell to table the substitute motion offered by Rep. Brooks that the House non-concur in the Senate amendment to the bill, H. 222, and request a Committee on Conference be appointed on the disagreement of the two Houses.

## MOTION TO ADJOURN LOST

The motion offered by Rep. Payne that the House adjourn sine die, was lost.

Yeas 34; Nays 51.

*Yeas:*

Mr. Speaker, Brakefield, Burke, Carter, Clark (D), Clark (J), Coburn, Dutton, Faulk, Flowers, Ford, Gray, Grayson, Harper, Harvey, Holmes, Hooper, Johnson (R.G.), Johnson (Roy), Laird, McDowell, McNair, Martin, Mathis, Melton, Mikell, Payne, Rains, Reed, Rice, Seibels, Starkey, Turner and White (L).

—34

*Nays:*

Reps.: Albright, Bachus, Black, Blake, Blakeney, Boles, Box, Britnell, Brooks, Browder, Bryant, Buskey (John), Campbell, Carothers, Coleman, Cosby, Crow, Davis, Escott, Gaston, Grouby, Hammett, Hettinger, Holley, Horn, Junkins, Kennedy, Kvalheim, Lauderdale, McMillan, Marietta, Mitchell, Moore, Newman, Nicholson, Onderdonk, Parker, Penry, Poole, Pratt, Richardson, Rogers, Spratt, Tanner, Thomas, Trammell, Warren, White (F), White (G) and Zoghby.

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#### REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 670. Relating to educational reform; providing for a comprehensive plan for improving instruction in science, mathematics, computer education and other designated critical areas; providing for a scholarship loan program to attract able students into the teaching profession in subjects of mathematics, science, computer education and other critical areas; providing a program for certified teachers to add to their certificate mathematics, science, computer education and other critical areas; providing a program whereby provisionally certified persons with extensive preparation in mathematics, science and computer education may serve as an emergency source of teachers; providing rigorous in-service training for public school personnel; amending Sections 16-23-18, 16-23-20, 16-23-21 and 16-23-23, Code of Alabama 1975, and repealing Section 16-23-19, Code of Alabama 1975, all relating to emergency secondary education scholarships, so as to transfer authority for the administration of the scholarships from the state board of education to the Alabama commission on higher education; creating and providing for the governor's educational reform commission; and providing for appropriations to carry out the provisions of this act.

And finds same correctly enrolled.

JIMMY CLARK,  
Chairman.

#### SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

#### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 564. To authorize Class I municipalities to alter and change water courses and to construct and develop wharves and wharf facilities within a radius of twenty-five miles in order to maximize the ability of municipalities to promote the use of river and water transportation to take advantage of

the shipping potential made possible by the Tombigbee Waterway, provided that no such facility can be constructed or developed within the police jurisdiction of another municipality without the consent thereof, or in an unincorporated area of any county without the consent of the governing body of such county; to issue general obligation bonds, or to authorize industrial development boards to issue revenue bonds to finance such facilities; to authorize municipalities and counties to contribute funds to such municipalities for construction and operation of such facilities, and to contract for joint construction and operation thereof; to provide an effective date of the Act.

Also:

S. 86. To provide for court ordered continuing income withholding by employers as a means of child support enforcement; to provide that such order shall be included as a part of any original judgment or decree for the payment of child support; to provide that such order may be entered after notice and a hearing as a post judgment remedy for the enforcement of delinquent child support amounts in addition to enforcing continuing, prospective child support obligations; to provide for the content of orders entered pursuant to this Act; to provide that income withholding orders shall be binding upon present and successive employers; to provide for the service of orders entered pursuant to this Act upon the employer; to provide for the modification or termination of income withholding orders; to provide for the collection of certain fees for the filing of a petition for an income withholding order and for the collection of certain service fees; to provide that an income withholding order for child support shall take precedence over any other notice of garnishment; to provide that no employer may discharge or refuse to hire a person who is the subject of an income withholding order; to provide that any employer who refuses to comply with the order may be deemed to be in contempt of court; and further to specifically repeal Sections 6-6-490 through 6-6-493, Code of Alabama 1975, relating to garnishments to enforce child support.

McDOWELL LEE,  
Secretary.

### SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

### MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 185. To amend Sections 12-19-90, 7-9-403, 7-9-404, 7-9-405, 7-9-406, 7-9-407, 9-11-37, 9-11-47, 9-11-55, 9-11-56, 33-5-10, 33-5-17, 40-12-2, 40-12-15 and 40-12-22, Code of Alabama, 1975, as amended, which relate to the fees and charges for services rendered in the probate offices of this state, so as to provide further for the fees and charges for services rendered in such offices and to provide for certain limits on the net annual income that

may be received by probate judges of this state who are compensated on a fee basis unless otherwise provided by local law.

McDOWELL LEE,  
Secretary.

#### SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill, the title of which is set out in the above and foregoing Message from the Senate.

#### CERTIFICATE OF CLERK

To the House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:20 A.M. on May 21, 1984.

H. 901

H. 792

H. 830

H. 852

H. 946

H. J. R. 364

H. 76

H. 488

H. 489

H. 490

H. 491

H. 496

H. 511

H. 541

H. 658

H. 730

H. 731

H. 756

H. 790

H. 809

H. 42

H. 91

REGULAR SESSION  
30th Day

2435

H. 635  
H. 678  
H. 753  
H. 819  
H. 824  
H. 849  
H. 868  
H. 881  
H. 209  
H. 498  
H. 503  
H. 507  
H. 583  
H. 584  
H. 695  
H. 710  
H. 727  
H. 789  
H. 796  
H. 899

Delivered to the Governor at 1:30 P.M. on May 21, 1984.

H. 9  
H. 43  
H. 127  
H. 128  
H. 129  
H. 131  
H. 175  
H. 674  
H. 750  
H. 606  
H. 607  
H. 620  
H. 622  
H. 636  
H. 643

H. 705

H. 737

H. 774

H. 775

H. 40

H. 210

H. 239

H. 246

H. 247

H. 351

H. 360

H. 387

H. 399

H. 417

H. 458

H. 474

H. 528

H. 531

H. 555

H. 559

H. 569

H. 587

H. 542

H. 595

H. 714

H. 439

H. 816

Delivered to the Governor at 2:50 P.M. on May 21, 1984.

H. 772

H. 776

H. 779

H. 795

H. 839

H. 845

H. 356

H. 358



REGULAR SESSION  
30th Day

2437

H. 482

H. 508

H. 509

H. 510

H. 664

H. 749

H. 734

H. 747

H. 748

Delivered to the Governor at 4:40 P.M. on May 21, 1984.

H. 116

H. 383

H. 400

H. 459

H. 529

H. 610

H. 637

H. 694

H. 713

H. 720

H. 700

H. 804

H. 808

H. 820

H. 822

H. 825

H. 821

H. 826

H. 836

H. 850

H. 855

H. 857

H. 858

H. 859

H. 861

H. 862

H. 863

H. 867

H. 885

H. 889

H. 891

H. 892

H. 894

H. 909

H. 911

H. 917

H. 922

H. 927

H. 929

H. 932

H. 762

H. 840

H. 851

H. 860

H. 880

H. 882

H. 883

H. 884

H. 890

H. 908

H. 926

H. 935

H. 937

H. 970

Delivered to the Secretary of State at 4:45 P.M. on May 21, 1984.

H. 931 (Constitutional Amendment)

H. 886 (Constitutional Amendment)

H. 915 (Constitutional Amendment)

Delivered to the Governor at 9:40 P.M. on May 21, 1984.

H. 311

H. 633

H. 675

H. 788  
H. 801  
H. 823  
H. 841  
H. 870  
H. 916  
H. 928  
H. 934  
H. 936  
H. 974  
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H. 966  
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H. 971  
H. 972  
H. 973  
H. 74  
H. 440

H. 441

H. 626

H. 627

Delivered to the Governor 9:40 P.M. on May 21, 1984. (Continued)

H. 656

H. 707

H. 684

H. 296

H. 460

H. 668

H. 450

H. 670

Delivered to the Secretary of State at 9:40 P.M. on May 21, 1984.

H. 412 (Constitutional Amendment)

JOHN W. PEMBERTON,  
Clerk.

#### ADJOURNMENT

On motion of Rep. Hooper, the House adjourned sine die at 9:29 o'clock  
p.m.

JOHN W. PEMBERTON,  
Clerk of the House of Representatives,  
of the Legislature of Alabama,  
Regular Session, 1984.





**HOUSE OF REPRESENTATIVES  
REGULAR SESSION, 1984**

**ALPHABETICAL ROSTER AND DISTRICT NUMBER**

Charles Adams, 83	Fred Horn, 53
Robert E. Albright, 21	Ron G. Johnson, 33
Spencer Bachus, 46	Roy Johnson, 63
Greg Beers, 48	Bobby M. Junkins, 30
Jack Biddle, III, 43	Yvonne Kennedy, 103
Lucius Black, Sr., 67	Ken Kvalheim, 101
A. J. Blake, 42	Richard Laird, 37
Harrell Blakeney, 66	Jack B. Lauderdale, 17
Hugh Boles, 50	Richard J. Lindsey, 39
W. C. "Bill" Bowling, 12	Bobby G. McDowell, 56
Mike Box, 96	Bob McKee, 74
Carl C. Brakefield, 14	Stephen A. McMillan, 95
Charlie Britnell, 18	Chris McNair, 57
Morris J. "Mo" Brooks, Jr., 10	Beth Marietta, 104
Glen Browder, 34	Charles B. Martin, 8
Jenkins Bryant, Jr., 68	Nathan Mathis, 87
June Bugg, 29	Bryant Melton, Jr., 61
Ralph Burke, 24	Mike Mikell, 76
James E. Buskey, 99	Earl Mitchell, 15
John L. Buskey, 77	Sonny Moore, 41
Tom Butler, 6	Max Newman, 16
James M. Campbell, 36	Tom Nicholson, 13
Joe Carothers, Jr., 86	Michael Onderdonk, 65
Tommy Carter, 5	Paul Parker, 9
Denzel L. Clark, 4	Arthur Payne, 44
James S. Clark, 84	Walter E. Penry, Jr., 94
William Clark, 98	George Perdue, 54
Tom Coburn, 2	Phil Poole, 62
Loyd Coleman, 25	Jack Pratt, 49
W. F. "Noopie" Cosby, Jr., 70	Jim Preuitt, 32
Bobby C. Crow, 35	T. Euclid Rains, Sr., 26
Pat Davis, 58	Thomas Reed, 82
Tom Drake, 11	John Rice, 80
Roger D. Dutton, 7	Ben T. Richardson, 23
Sundra E. Escott, 60	John W. Rogers, 52
Dwight Faulk, 90	James G. Sasser, 88
Steve Flowers, 89	George G. Seibels, Jr., 47
Joe Ford, 28	Curtis Smith, 72
Bill Fuller, 38	Lewis G. Spratt, 59
Victor Gaston, 100	Nelson R. Starkey, Jr., 1
J. W. "Joe" Goodwin, 3	John Starr, Jr., 75
Billy Gray, 45	John F. Tanner, 40
George Grayson, 19	James Louis Thomas, 69
George H. Grimsley, 85	Hoyt W. Trammell, 51
E. A. Grouby, Jr., 71	J. E. Turner, 102
Albert Hall, 22	Pete Turnham, 79
Seth Hammett, 92	Jack B. Venable, 31
Taylor Harper, 105	J. E. "Jimmy" Warren, 64
Bob Harvey, 27	Frank P. White, 93
Steve Hettinger, 20	Gary White, 55
Jimmy W. Holley, 91	Lester White, 81
Alvin Holmes, 78	Mary S. Zoghby, 97
Perry O. Hooper, Jr., 73	

**ROSTER OF THE HOUSE OF REPRESENTATIVES  
OF ALABAMA**

**1984**

**REGULAR SESSION**

**OFFICERS**

**TOM DRAKE, *Speaker*, Cullman**

**ROY JOHNSON  
*Speaker Pro-Tem*, Tuscaloosa**

**JOHN W. PEMBERTON, *Clerk*, Montgomery**

**LOIS F. ALLEN, *Chief Clerk*, Montgomery**

**MEMBERS OF THE HOUSE**

<b>Dist. No.</b>	<b>Counties</b>	<b>Name</b>	<b>Address</b>
1	LAUDERDALE	Nelson R. Starkey, Jr. ....	301 North Pine Street, Florence 35630
2	COLBERT	Tom Coburn .....	1107 East 3rd Street, Tuscumbia 35674
3	COLBERT, LAUDERDALE	J. W. (Joe) Goodwin .....	310 Ford Road, Muscle Shoals 35661
4	LAUDERDALE, LIMESTONE	Denzel L. Clark .....	Route 2, Box 91, Killen 35645
5	LIMESTONE	Tommy Carter .....	Route 2, Box 72, Elkmont 35620
6	MADISON	Tom Butler .....	1803 Forney Drive, Huntsville 35805
7	LAWRENCE, MORGAN	Roger D. Dutton .....	R. R. No. 2, Trinity 35673
8	MORGAN	Charles B. Martin .....	P. O. Box 2538, Decatur 35602
9	MORGAN	Paul Parker .....	303 North Douglas Street, Hartselle 35640
10	MADISON	Morris J. "Mo" Brooks, Jr. ....	9009 Randall Road Huntsville 35802
11	CULLMAN, MORGAN	Tom Drake .....	P. O. Box 1165, Cullman 35055
12	CULLMAN	Bill Bowling .....	Route 2, Box 349, Hanceville 35077
13	WALKER	Tom Nicholson .....	P. O. Box 248, Jasper 35501
14	TUSCALOOSA, WALKER	Carl C. Brakefield .....	P. O. Box G, Carbon Hill 35549



- 15 PICKENS, TUSCALOOSA  
Earl Mitchell ..... P. O. Box 426, Northport 35476
- 16 FAYETTE, LAMAR, MARION  
Max Newman ..... P. O. Box 428, Millport 35576
- 17 MARION, WINSTON  
Jack B. Lauderdale ..... Route 1, Box 238, Hamilton 35570
- 18 FRANKLIN, MARION  
Charlie Britnell ..... Route 2, Box 376, Russellville 35653
- 19 MADISON  
George Grayson ..... P. O. Box 38, Normal 35762
- 20 MADISON  
Steve Hettinger ..... 100 Calhoun Street, Huntsville 35801
- 21 MADISON  
Robert E. Albright ..... 2024 Stanhope Dr., Huntsville 35811
- 22 JACKSON, MADISON  
Albert Hall ..... P. O. Box 275, Gurley 35748
- 23 JACKSON  
Ben T. Richardson ..... P. O. Box 1017, Scottsboro 35768
- 24 DeKALB  
Ralph Burke ..... P. O. Box 876, Fort Payne 35967
- 25 MARSHALL  
Loyd Coleman ..... P. O. Box 67, Arab 35016
- 26 DeKALB, MARSHALL  
T. Euclid Rains, Sr. .... Route 1, Box 326, Albertville 35950
- 27 BLOUNT  
Bob Harvey ..... Route 4, Box 708, Oneonta 35121
- 28 ETOWAH  
Joe Ford ..... Gadsden State Jr. College,  
George Wallace Dr., Gadsden 35901
- 29 ETOWAH  
June Bugg ..... 610 South 5th St., Gadsden 35901
- 30 ETOWAH, ST. CLAIR  
Bobby M. Junkins ..... 254 College St., Gadsden 35901
- 31 COOSA, ELMORE  
Jack B. Venable ..... P. O. Box 736, Tallassee 36078
- 32 TALLADEGA  
Jim Preuitt ..... P. O. Box 1063, Talladega 35160
- 33 TALLADEGA  
Ron G. Johnson ..... Route 5, Box 17, Sylacauga 35150
- 34 CALHOUN  
Glen Browder ..... Route 2, Box 316, Jacksonville 36265
- 35 CALHOUN  
Bobby C. Crow ..... Route 10, Box 842, Anniston 36201
- 36 CALHOUN  
James M. Campbell ..... P. O. Box 2003, Anniston 36302

- 37 CHAMBERS, RANDOLPH, CLAY  
Richard Laird ..... 46 Randolph Plaza, Roanoke 36274
- 38 CHAMBERS  
Bill Fuller ..... 118 South LaFayette St., LaFayette 36862
- 39 CHEROKEE, CLEBURNE, DeKALB  
Richard J. Lindsey ..... Route 2, Box 394, Centre 35960
- 40 BIBB, SHELBY  
John F. Tanner ..... P. O. Box 37, Pelham 35214
- 41 SHELBY  
Sonny Moore ..... P. O. Box 44, Sterrett 35147
- 42 ST. CLAIR  
A. J. Blake ..... Route 1, Box 206A, Pell City 35125
- 43 JEFFERSON  
Jack Biddle, III ..... 2256 Pinehurst Drive, Gardendale 35071
- 44 JEFFERSON  
Arthur Payne ..... 2825 2nd Street, N.W., Birmingham 35215
- 45 JEFFERSON  
Billy Gray ..... 704 Lance Blvd., Birmingham 35206
- 46 JEFFERSON  
Spencer Bachus ... 1122 22nd Street, North, Birmingham 35234-2725
- 47 JEFFERSON  
George G. Seibels, Jr. .... 4016 10th Avenue So., Birmingham 35222
- 48 JEFFERSON  
Greg Beers ..... 1504 Vendure Circle, Birmingham 35266
- 49 JEFFERSON  
Jack Pratt ..... 5424 Wesley Drive, Midfield 35228
- 50 JEFFERSON  
Hugh Boles ..... 1036 Normandale Circle, Hueytown 35020
- 51 JEFFERSON  
Hoyt W. Trammell ..... Route 15, Box 247, Birmingham 35224
- 52 JEFFERSON  
John W. Rogers ..... 1424 18th St., S.W., Birmingham 35211
- 53 JEFFERSON  
Fred Horn ..... 333 16th Ave., S.W., Birmingham 35204
- 54 JEFFERSON  
George Perdue ..... P. O. Box 2473, Birmingham 35201
- 55 JEFFERSON  
Gary White ..... 2826 S. 18th St., Homewood 35209
- 56 JEFFERSON  
Bobbie Will Greene McDowell .... 2322 Dartmouth, Bessemer 35020
- 57 JEFFERSON  
Chris McNair ..... Route 4, Box 388, Bessemer 35020
- 58 JEFFERSON  
Pat Davis ..... 9312 Sears Drive, Birmingham 35206

- 59 JEFFERSON  
Lewis G. Spratt ..... 3809 4th St. W., Birmingham 35207
- 60 JEFFERSON  
Sundra E. Escott ..... P. O. Box 8172, Birmingham 35218
- 61 TUSCALOOSA  
Bryant Melton, Jr. .... 4129 20th Street, Tuscaloosa 35401
- 62 TUSCALOOSA  
Phil Poole ..... P. O. Box 609, Moundville 35474
- 63 TUSCALOOSA  
Roy Johnson ..... Route 4, Box 140, Tuscaloosa 35405
- 64 CONECUH, MONROE  
J. E. (Jimmy) Warren ..... P. O. Box 207, Castleberry 36432
- 65 CLARKE, WASHINGTON  
Michael Onderdonk ..... P. O. Drawer 130, Chatom 36518
- 66 CHOCTAW, CLARKE, MARENGO  
Harrell Blakeney ..... 1101 Old Hwy. 5 So., Thomasville 36784
- 67 CHOCTAW, GREENE, SUMTER  
Lucius Black ..... P. O. Box 284, York 36925
- 68 DALLAS, PERRY, HALE  
Jenkins Bryant, Jr. .... Route 1, Box 126, Newbern 36765
- 69 DALLAS, LOWNDES, WILCOX  
James Louis Thomas ..... Route 2, Box 509, Hayneville 36040
- 70 DALLAS  
W. F. "Noopie" Cosby, Jr. .... Dallas County Court House,  
Selma 36701
- 71 AUTAUGA, CHILTON  
Ed Grouby ..... P. O. Box 188, Prattville 36067
- 72 BIBB, CHILTON  
Curtis Smith ..... P. O. Drawer 69, Clanton 35045
- 73 MONTGOMERY  
Perry O. Hooper, Jr. .... 509 S. Court St., Montgomery 36104
- 74 MONTGOMERY  
Bob McKee ..... P. O. Box 424, Montgomery 36101
- 75 MONTGOMERY  
John Starr, Jr. .... 2761 Forsyth Lane, Montgomery 36116
- 76 ELMORE, MONTGOMERY  
Mike Mikell ..... P. O. Box 993, Millbrook 36054
- 77 MONTGOMERY  
John L. Buskey ..... P. O. Box 6216, Montgomery 35106
- 78 MONTGOMERY  
Alvin Holmes ..... P. O. Box 6064, Montgomery 36106
- 79 LEE  
Pete Turnham ..... Box 1592, Auburn 36830
- 80 LEE  
JOHN RICE ..... P. O. Box 2432, Opelika 36801

- 81 TALLAPOOSA  
Lester White ..... 739 Freeman Street, Dadeville 36853
- 82 BULLOCK, MACON  
Thomas Reed ..... P. O. Drawer EE, Tuskegee Institute 36088
- 83 RUSSELL  
Charles Adams ..... P. O. Box 967, Phenix City 36867
- 84 BARBOUR, RUSSELL  
James S. (Jimmy) Clark ..... P. O. Box 71, Eufaula 36027
- 85 HENRY, HOUSTON  
George H. Grimsley ..... Route 1, Columbia 36319
- 86 HOUSTON  
Joe Carothers, Jr. .... Route 8, Box 33, Dothan 36301
- 87 GENEVA, HOUSTON  
Nathan Mathis ..... Route 1, Newton 36352
- 88 DALE  
James G. Sasser ..... P. O. Box 1279, Ozark 36361
- 89 PIKE, DALE  
Steve Flowers ..... P. O. Box 973, Troy 36081
- 90 BUTLER, CRENSHAW  
Dwight Faulk ..... Route 2, Box 90, Honoraville 36042
- 91 COFFEE  
Jimmy W. Holley ..... Route 3, Box 191E, Elba 36323
- 92 COVINGTON  
Seth Hammett ..... P. O. Drawer 1607, Andalusia 36420
- 93 ESCAMBIA  
Frank P. "Skippy" White ..... Rt. 1, Box 193-Pollard,  
Flomaton 36441
- 94 BALDWIN  
Walter E. Penry, Jr. .... Route 2, Box 286, Daphne 36526
- 95 BALDWIN  
Steve McMillan ..... Box 337, Bay Minette 36507
- 96 MOBILE  
Mike Box ..... P. O. Box 216, Saraland 36571
- 97 MOBILE  
Mary S. Zoghby ..... 2862 Hilburn Drive, Mobile 36606
- 98 MOBILE  
William "Bill" Clark ..... 711 Atmore Avenue, Prichard 36612
- 99 MOBILE  
James E. Buskey ..... 2207 Barretts Lane, Mobile 36617
- 100 MOBILE  
Victor Gaston ..... 864 West Parkwood Dr., Mobile 36608
- 101 MOBILE  
Ken Kvalheim ..... 421 Dogwood Dr., Mobile 36609
- 102 MOBILE  
J. E. Turner ..... P. O. Box 777, Citronelle 36522

- 103 **MOBILE**  
Yvonne Kennedy ..... 1205 Glennon Ave., Mobile 36603
- 104 **MOBILE**  
Beth Marietta ..... 204 S. Cedar St., Mobile 36602
- 105 **MOBILE**  
Taylor Harper ..... P. O. Box 229, Grand Bay 36541

**ROSTER OF THE  
SENATE OF ALABAMA  
REGULAR SESSION 1984**

Bill Baxley, *Lieutenant Governor*  
State Capitol, Montgomery

John A. Teague, *President Pro-Tem*  
Childersburg

McDowell Lee, *Secretary*

John D. Crawford, *Assistant Secretary*

Mrs. William R. Lawley, Jr., *Chief Clerk*

**DISTRICT NO. 1**

Bobby Denton ..... Bank Independent, P.O. Drawer B  
Sheffield 35660

**DISTRICT NO. 2**

Jim Smith ..... 108-A South Side Square, Huntsville 35801

**DISTRICT NO. 3**

Gary L. Aldridge ..... 210 E. Molton Street, Decatur 35601

**DISTRICT NO. 4**

Steve Cooley ..... P.O. Box 1186, Cullman 35055

**DISTRICT NO. 5**

Charles Bishop ..... P.O. Box 2328, Jasper 35501

**DISTRICT NO. 6**

Roger H. Bedford ..... P.O. Box 669, Russellville 35653

**DISTRICT NO. 7**

Bill G. Smith ..... 2009 Gallatin St., S.W., Huntsville 35801

**DISTRICT NO. 8**

Lowell R. Barron ..... P.O. Box 65, Fyffe 35971

**DISTRICT NO. 9**

Hinton Mitchem ..... P.O. Box 297, Albertville 35950

**DISTRICT NO. 10**

Bill Drinkard ..... P.O. Box 372, Gadsden 35902

**DISTRICT NO. 11**

John A. Teague ..... P.O. Box 427, Childersburg 35044

**DISTRICT NO. 12**

Donald G. Holmes ..... 1916 Robinhood Drive, Oxford 36203

**DISTRICT NO. 13**

Gerald Dial ..... P.O. Box 248, Lineville 36266

**DISTRICT NO. 14**

Frank (Butch) Ellis, Jr. .... P.O. Box 587, Columbiana 35051

**DISTRICT NO. 15**

John E. Amari ..... 9636 Parkway East, Birmingham 35215

**DISTRICT NO. 16**

William J. Cabaniss, Jr. .... P.O. Box 57032, Birmingham 35259

- DISTRICT NO. 17  
Mac Parsons ..... 1285 E. Hueytown Road, Hueytown 35023
- DISTRICT NO. 18  
J. Richmond Pearson ..... P.O. Box 11135, Birmingham 35202
- DISTRICT NO. 19  
Jim Bennett ..... 2010 Brookwood Medical Center,  
Dr., Birmingham 35351
- DISTRICT NO. 20  
Earl F. Hilliard ..... P.O. Box 11385, Birmingham 35202
- DISTRICT NO. 21  
Ryan deGraffenried, Jr. .... P.O. Box 2263, Tuscaloosa 35403
- DISTRICT NO. 22  
Frances (Sister) Strong ..... 400 So. Main, Demopolis 36732
- DISTRICT NO. 23  
Henry (Hank) Sanders ..... P.O. Box 1305, Selma 36702
- DISTRICT NO. 24  
Earl Goodwin ..... P.O. Box 886, Selma 36702
- DISTRICT NO. 25  
Larry Dixon ..... P.O. Box 946, Montgomery 36102
- DISTRICT NO. 26  
Charles D. Langford ..... 918 East Grove Street, Montgomery 36104
- DISTRICT NO. 27  
T.D. (Ted) Little ..... P.O. Box 2366, Auburn 36830
- DISTRICT NO. 28  
J. Danny Corbett ..... Route 7, Box 821, Phenix City 36867
- DISTRICT NO. 29  
Chip Bailey ..... P.O. Box 6791, Dothan 36302
- DISTRICT NO. 30  
J. Foy Convington ..... Rt. 2, Newville 36353
- DISTRICT NO. 31  
E.C. (Crum) Foshee ..... 310 Baisden St., Andalusia 36420
- DISTRICT NO. 32  
Perry A. Hand ..... P.O. Box 478, Gulf Shores 36542
- DISTRICT NO. 33  
Michael A. Figures ..... 2317 St. Stephens Road, Mobile 36617
- DISTRICT NO. 34  
Ann Bedsole ..... P.O. Box 16642, Mobile 36616
- DISTRICT NO. 35  
William J. (Bill) Menton ..... Rt. 2, Box 171, Irvington 36544

**LEGISLATIVE DAYS**  
**REGULAR SESSION, 1984**

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TWENTY-EIGHTH DAY - Wednesday, May 9 .....	2084
TWENTY-NINTH DAY - Thursday, May 10 .....	2150
THIRTIETH DAY - Monday, May 21 .....	2298



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HB 833, pages 1110, 1392, 1729, 1730

Catfish, promotion of, fees established, constitutional amendment—  
HB 939, pages 1556, 1863

Catfish, promotion of, fees assessed—  
HB 938, page 1556

Wheat and feed grains, promotion of production, distribution, market-  
ing, provided for—  
HB 854, pages 1369, 1391

Wheat and feed grains, promotion of, production, distribution, market-  
ing, use and improvement for, duties and powers of commissioner  
of agriculture and industries—  
HB 856, pages 1370, 1392

**AGRICULTURAL LANDS**

Alien absentee ownership, prohibited—  
HB 988, page 2047

**AGRICULTURAL MARKET FACILITY**

Established—  
HB 554, pages 460, 579, 871, 872, 1682, 1683, 1752, 1857, act  
no. 84-252

**AGRICULTURE**

Aircraft, land and take-off on local highways, permitted—  
HB 952, page

Market facility, public corporation, established bond issue—  
HB 554, pages 460, 579, 871, 872, 1682, 1683, 1752, 1857, act  
no. 84-252

Soybeans, promotion of, regulated—  
SB 201, pages 422, 423, 586, 1850, 1902, act no. 84-274

**AGRICULTURE AND INDUSTRIES**

Commissioner, reports on nonresident alien farmers, to receive—  
SB 336, pages 1130, 1131, 1391

## AGRICULTURE AND INDUSTRIES (Continued)

Commissioner, wheat and feed grains, promotion of, products, distribution, marketing, duties of—  
HB 854, pages 1369, 1391

Department of, appropriation provided—  
HB 780, pages 1000, 1493, 1610, 2086, 2093, 2149, act no. 84-311

Goat milk, production and sale of, regulated—  
HB 312, pages 121, 228

Swine diseases, eradication and control—  
HB 136, pages 31, 713, 1377

## AID TO DEPENDENT CHILDREN

Department of pensions and security, support paid directly to—  
HB 264, pages 111, 126  
SB 244, pages 1927, 1928, 2042

## AIRCRAFT AND AIRCRAFT PILOTS

Defined—  
HB 240, pages 104, 126

## ALABAMA A&amp;M UNIVERSITY

Board of trustees, members, increased—  
HB 729, page 859

## ALABAMA ADMINISTRATIVE PROCEDURES ACT

Board of pharmacy, appeals regulated, in accordance with—  
HB 502, pages 415, 583, 1747

## ALABAMA ARTS REFUND WEEK

Designated—  
SJR 33, pages 188, 248, act no. 84-39

## ALABAMA ASSOCIATION OF COLLEGE TEACHERS OF MATHEMATICS

Commended—  
SJR 99, pages 542, 605, act no. 84-110

## ALABAMA ASSOCIATION OF NATIONAL HONOR SOCIETY

Commended—  
HJR 77, pages 218, 536, 557, 603, act no. 84-76  
HR 139, page 523

## ALABAMA BOARD OF ELECTRICAL CONTRACTORS

Established—  
HB 494, pages 413, 1494, 1797, 1799, 1800

## ALABAMA BUREAU OF STATE LOTTERIES

Established—  
HB 271, pages 113, 578, 868, 1690  
HB 272, pages 113, 579

## ALABAMA COMMISSION ON AGING

Aged health care recipient ombudsman act, to investigate complaints—  
HB 413, pages 233, 298, 896, 901, 945, 946

ALABAMA COUNCIL OF TEACHERS OF MATHEMATICS

Commended—

SJR 99, pages 542, 605, act no. 84-110

ALABAMA DEEP SEA FISHING RODEO

Sports event of national prominence, recognized—

HJR 183, pages 721, 1092, 1093, 1098, act no. 84-193

ALABAMA DEVELOPMENT OFFICE

Regulatory information service in, created—

HB 17, pages 8, 132

SB 21, pages 1095, 1106, 1717, 1754, act no. 84-262

ALABAMA ECONOMIC AND FINANCIAL ADVISORY COUNCIL

Established—

HB 686, page 718

ALABAMA EXECUTIVE RESIDENCE PRESERVATION  
FOUNDATION

Established—

HB 563, page 462

ALABAMA FAIR CAMPAIGN PRACTICE COMMISSION

Established—

HB 285, page 115

ALABAMA HISTORICAL COMMISSION

Fort morgan, certain real property in, transferred to highway  
department—

HB 149, pages 66, 835

ALABAMA INDIAN AFFAIRS COMMISSION

Created—

HB 625, pages 677, 709, 877, 878, 1638, 1692, 1857

ALABAMA INSTITUTE OF CIVIL RIGHTS HISTORY

Created—

SB 256, pages 526, 834

ALABAMA INTERNATIONAL TRADE PROMOTION OVERSIGHT  
COMMITTEE

Created—

SJR 242, pages 2109, 2350, 2353, 2389, act no. 84-467

ALABAMA KIDNEY FOUNDATION, INC.

Tax exemption status—

HB 513, page 417

ALABAMA LEGISLATIVE COMPENSATION COMMISSION

Established—

SB 94, pages 1928, 1929

**ALABAMA NATIONAL GUARD**

Educational assistance benefits, provided—

HB 232, pages 82, 144, 158, 221, 278

SB 154, pages 1049, 1100, 1393, 1828, 1912, act no. 84-288

**ALABAMA NONPROFIT CORPORATION ACT**

Established—

HB 216, pages 79, 124, 1716, 1767

SB 130, pages 1053, 1054, 1102, 1766, 1912, act no. 84-290

**ALABAMA OPPORTUNITIES INDUSTRIALIZATION CENTER**

Employees, may elect to become members of teachers retirement system—

HB 293, pages 117, 293

SB 132, pages 1383, 1659

**ALABAMA PEACE OFFICERS ANNUITY AND BENEFIT FUND**

Purchasing of past service, eliminated—

HB 317, pages 135, 297, 1821

**ALABAMA POULTRY WEEK**

Designated—

SJR 211, pages 1682, 1823, act no. 84-270

**ALABAMA POWER COMPANY**

Territories for service, established—

HB 138, pages 32, 127

SB 321, pages 846, 947, 1401, 1404, 1411, 1417, 1418, 1523, act no. 84-206

**ALABAMA RACING COMMISSION**

Created—

HB 316, pages 122, 133, 289, 302, 309, 310, 314, 321, 425

**ALABAMA REAL ESTATE COMMISSION**

Appropriation provided—

HB 62, pages 15, 224, 771, 1121, 1122

SB 11, pages 422, 423, 833, 1121, 1220, act no. 84-199

**ALABAMA RECYCLING WEEK**

Designated—

HJR 161, pages 689, 1092, 1093, 1098, act no. 84-192

**ALABAMA SCHOOL FOR THE DEAF**

Girls track team, commended—

SJR 249, pages 2196, 2288, act no. 84-317

**ALABAMA SMALL BUSINESS WEEK**

Governor requested to proclaim—

HJR 20, pages 47, 154, 170, 242, act no. 84-23

**ALABAMA SOCIETY FOR CRIPPLED CHILDREN AND ADULTS, INC.**

Tax exemptions, provided—

HB 692, page 721



**ALABAMA SPECIAL OLYMPICS**

Tax exemptions, provided—

HB 578, pages 470, 580, 881, 882, 1119, 1124, 1262, act no. 84-187

**ALABAMA STATE FLAG**

Designers of, honored—

HB 99, page 24

**ALABAMA STATE UNIVERSITY**

Board of trustees, members, increased—

HB 729, page 859

**ALABAMA STUDENT LEADERSHIP WEEK**

Designated—

HJR 230, page 977

SJR 157, pages 1122, 1220, act no. 84-200

**ALABAMA UNIFORM PARENTAGE ACT**

Enacted—

HB 211, pages 77, 294, 1844, 1845, 1846

SB 87, pages 1097, 1388, 1845, 1902, act no. 84-244

**ALABAMA WEEK**

Designated—

HJR 226, pages 961, 1324, 1351, 1384, act no. 84-213

**ALABAMA YOUTH CIVILIAN CONSERVATION WORK PROGRAM ACT**

Established—

HB 876, page 1375

**ALABASTER**

Corporate limits altered—

HB 710, pages 855, 1394, 1499, 2276, 2315, 2435, act no. 84-440

**ALBERTVILLE**

Corporate limits altered—

HB 867, page 953

HB 868, pages 1373, 1397, 1516, 2282, 2314, 2435, act no. 84-436

**ALCOHOLIC BEVERAGE CONTROL BOARD**

Continued—

SB 33, pages 182, 183, 226, 487, 503, 534, 669, 670, 792 act no. 84-178

Phase out period provided—

HB 23, page 9

Sales territories, designated—

HB 126, page 29

HB 187, pages 72, 227, 1920

SB 114, pages 1048, 1049, 1064, 1911, 1914, 1917, 1919, 1920, 2037, act no. 84-374

## ALCOHOLIC BEVERAGES

ABC board employees, state policemen retirement system, certain considered as members—  
HB 56, page 15

ABC board, phase out period of, provided for—  
HB 23, page 9

Beer tax levied proportionately to size—  
HB 961, page 1668

Legal age raised—  
HB 26, pages 10, 126, 906, 907, 1536, 1537, 1538, 1540

Minors, sale of, to, crime of, defined—  
HB 27, pages 10, 126  
SB 128, pages 674, 835, 2289, 2322, act no. 84-469

Sale of in dry counties, municipal option elections, authorized—  
SB 76, pages 675, 676, 834, 2031, 2032, 2084, 2086, 2088, 2094, 2095, 2101, 2106, 2151, 2164, 2165, 2264, 2267, act no. 84-408

Wineries, farm, definition altered—  
SB 163, pages 1051, 1052, 1063

## ALEXANDER CITY STATE JUNIOR COLLEGE

"W. Byron Causey Health Education and Arts Complex", named—  
SJR 101, pages 542, 605, act no. 84-112

## ALIENS

Nonresident, farmers, reports to commissioner of agriculture and industries, provided—  
SB 336, pages 1130, 1131, 1391

## ALLEN MEMORIAL HOME, INC.

Tax exemption—  
HB 300, page 119

## ALLISON, BOBBY

Week, named—  
HJR 284, pages 1431, 1517, 1524, 1540, act no. 84-236

## ALPHA PHI ALPHA FRATERNITY

Omicron lambda chapter, commended—  
HJR 146, pages 553, 770, 799, 810, act no. 84-158

## ALSOBROOK, JUDGE O.D.

Death mourned—  
HJR 82, pages 221, 314, 320, 464, act no. 84-68  
SJR 22, pages 185, 247, act no. 84-35

## ALVES, DR. WALTER J.

Commended—  
HR 128, page 480

## AMBULANCES

Definition of ambulance, ambulance driver, to include aircraft and aircraft pilot—  
HB 240, pages 104, 126

## AMBULANCES (Continued)

Inspections, semiannual, provided for—  
HB 166, pages 69, 276

Volunteer, surplus state property, certain, authorized to be loaned to—  
SB 460, pages 1854, 2040, 2290, 2323, act no. 84-619

## ANIMALS

Cruelty to, any domestic—  
HB 322, pages 136, 229, 2115

Dogs, fighting, prohibited—  
HB 527, pages 419, 586  
SB 156, pages 1651, 1863

Dogs or cats, killing of, high altitude decompression chamber,  
prohibited—  
HB 321, pages 136, 708

## ANNISTON

City council, election of—  
HB 946, pages 1558, 1663, 1890, 2295, 2308, 2434, act no. 84-400

## APPEALS

Criminal cases, provided for—  
HB 371, pages 163, 295, 536, 537

## APPROPRIATIONS

Agriculture and industries, conditional, swine diseases—  
HB 136, pages 31, 713, 1377

Alabama a&m university, black archives research center and museum,  
provided—  
HB 575, pages 470, 1492, 1727, 1729, 1783

Alabama real estate commission, provided—  
HB 62, pages 15, 224, 771, 1121, 1122  
SB 11, pages 422, 423, 833, 1121, 1220, act no. 84-199

Attorney general, provided—  
HB 815, pages 1073, 1107, 1425, 2151, 2183, 2297, act no. 84-392

Auburn university, agricultural experiment station, provided—  
SB 469, page 1384

Blind vendors, revenue lost to institutions—  
HB 959, page 1668

Board of polygraph examiners, supplemental provided—  
HB 327, pages 137, 224

Chiropractic examiners, state board of, provided—  
HB 120, pages 28, 298, 1781

Circuit clerks and registers, compensation adjusted—  
HB 325, pages 136, 832, 1639, 1641, 1652

Colleges, American legion scholarships, to match—  
HB 457, pages 266, 581, 1739, 1741

Deficit spending, prohibited—  
HB 194, page 74

## APPROPRIATIONS (Continued)

- Department of agriculture and industries, provided—  
HB 780, pages 1000, 1493, 1610, 2086, 2093, 2149, act no. 84-311
- Department of corrections, uniform allowance—  
HB 318, page 135  
SB 139, page 1055
- Emergency secondary education scholarship fund, provided—  
SB 316, pages 671, 672, 834
- Ethics commission, supplemental provided—  
HB 630, page 677
- Formula based on maximum percentage of total revenues received—  
HB 193, page 74
- General fund budget—  
HB 229, pages 81, 711, 1134, 1220, 1221, 1930, 2027, 2028, 2031,  
2083, act no. 84-294  
HB 348, page 140
- Housing finance authority, provided—  
HB 707, pages 855, 992, 1611, 2386, 2408, 2440, act no. 84-663
- Legislative reference service, provided—  
HB 3, page 4
- Louisiana, Mississippi, Alabama rapid rail transit commission,  
provided—  
HB 462, pages 267, 1494  
SB 372, pages 1650, 1660, 2278, 2324
- Lyman ward military academy, provided—  
HB 351, pages 160, 1101, 1362, 2302, 2361, 2436
- Marion military institute, provided—  
HB 450, pages 239, 1101, 1362, 2303, 2304, 2399, 2410, 2440, act no.  
84-666
- National conference of state legislatures, supplemental provided—  
SB 513, pages 1053, 2041, 2292, 2323, act no. 84-475
- Non-state agencies—  
HB 230, pages 81, 712, 1223, 1244  
HB 355, page 160
- Physical therapy, state board of, provided—  
HB 82, pages 20, 293, 1735
- Rubella vaccine, provided—  
HB 539, page 458
- Secretary of state, provided—  
SB 192, pages 1648, 1649, 2041, 2289, 2322, act no. 84-667
- Small business procurement system, provided—  
HB 19, page 8  
SB 15, pages 1649, 1650, 2039
- Special educational trust fund budget—  
HB 231, pages 82, 1102, 1265, 1321, 1325, 1346, 1354, 1360, 2206,  
2274, 2298, act no. 84-330

## APPROPRIATIONS (Continued)

State agencies and departments, health insurance, to cover retired persons—  
HB 904, page 1497

State employees, salary increase—  
HB 178, pages 71, 991, 1245, 1246, 1248, 1252, 1254

State forest industry advisory board, provided—  
HB 445, page 238

State highway department, supplemental provided—  
HB 828, pages 1109, 1491, 1610, 2085, 2093, 2150, act no. 84-312

Talladega college, provided—  
HB 350, page 160  
HB 715, pages 856, 1101, 1361, 2151, 2182, 2296, act no. 84-386

Teachers, salary increase—  
HB 179, page 71

Tuskegee institute—  
HB 360, pages 161, 1101, 1362, 2302, 2361, 2436, act no. 84-552

Tuskegee institute, capital outlay, provided—  
HB 542, pages 458, 832, 1367, 1376, 2165, 2304, 2362, 2436, act no. 84-563

Tuskegee institute, scientific research, provided—  
HB 543, page 459

UAB, department of pediatrics-childrens hospital, supplemental provided—  
HB 104, page 25

Uniform state laws commission, members expense, altered—  
HB 487, pages 273, 294, 1892

Walker county junior college, provided—  
HB 352, page 160  
HB 623, pages 676, 1101, 1361, 2152, 2181, 2296, act no. 84-384

## ARITON

Corporate limits altered—  
SB 648, pages 2137, 2162, 2348, 2389, act no. 84-463

## ARTS AND HUMANITIES

Legislative committee to study, life extended—  
HJR 216, page 955

## ASSOCIATION FOR RETARDED CITIZENS OF ALABAMA, INC.

Sales and use taxes, exempt—  
HB 123, page 28

## ATHENS

Historic preservation commission, provided for—  
HB 894, pages 1442, 1491, 1587, 2367, 2394, 2438, act no. 84-509

## ATHLETES

Training during hot weather, guidelines—  
HB 420, page 234

## ATHLETIC ASSOCIATION

Directed to prescribe guidelines for student athletes training to prevent heat problems—

HJR 133, pages 510, 2190, 2203, 2297, act no. 84-341

## ATKESON, THOMAS Z.

Commended—

HJR 141, pages 538, 770, 799, 810, act no. 84-156

## ATTORNEY GENERAL

Appropriation, provided—

HB 815, pages 1073, 1494, 1608, 1609, 1633, 1921, 2028

## ATTORNEYS

License tax on, increased—

HB 146, pages 65, 581, 1893, 1894

HB 147, pages 66, 581

## AUBURN UNIVERSITY

Agricultural experiment station, appropriation provided—

SB 469, page 1384

Football team, commended—

SJR 13, pages 98, 177, act no. 84-9

Students hospitality, gratitude expressed—

SJR 213, pages 1925, 2038, act no. 84-302

## AUCTIONEERS

Board of, continued—

SB 43, pages 183, 227, 506, 535, act no. 84-105

## AUTAUGA COUNTY

County commission, authorized to assume certain additional duties, compensation—

HB 925, pages 1552, 1663, 1888, 2156, 2183, 2297, act no. 84-394

County commissioners authorized to assume certain duties heretofore performed by foreman, salaries prescribed—

HB 903, page 1497

## AUTAUGA COUNTY GENERALS

Commended—

HJR 356, page 2054

## AUTHORITIES

Railroad, to develop abandoned property, established—

SB 120, pages 180, 181, 300, 562, 575, 701, 703, 739, 793, act no. 84-179

## AUTOPSIES

Coroners and qualified physicians, duties—

HB 168, page 69

## AVIAN INFLUENCE

Violations of laws pertaining to, penalties provided—

SB 343, pages 1050, 1248, 1391, 1833, 1913, act no. 84-283

## AYERS, DON WILEY

Death mourned—

HJR 58, pages 172, 314, 320, 464, act no. 84-61

## BAD CHECKS

Given in payment of loans, charges for—

HB 58, pages 15, 129, 893

Presentation of, for valid debt, provided—

HB 545, page 459

## BAILEY, WINFRED

Commended—

SJR 32, pages 188, 248, act no. 84-39

## BAILIFFS

Retired, carry hand gun without permit, authorized—

SB 97, pages 1646, 1655

## BAKER, FRED

Death mourned—

HR 24, page 51

## BAKER, LEO

Honored posthumously—

SJR 165, pages 1123, 1220, act no. 84-202

## BALCH, WOODROW

Commended—

HR 311, page 1567

## BALDWIN COUNTY

Amos Garrett, conservation department to return certain land to—

SB 407, pages 1647, 1660

Board of registrars, salary increase—

HB 936, pages 1555, 1867, 2072, 2373, 2403, 2439, act no. 84-633

Consolidated and unified system for assessment and collection of taxes, referendum provided for—

HB 860, pages 1371, 1866, 2070, 2369, 2395, 2438, act no. 84-520

County commissioners, term of office—

HB 9811, pages 1874, 2044, 2125, 2373, 2404, 2439, act no. 84-639

HB 860, legislative intent, expressed—

HJR 365, page 2076

Planning commission, appointment of real estate agents as members, regulated—

HB 858, pages 1370, 1489, 1597, 2364, 2393, 2437, act no. 84-499

Public work improvements outside municipality, assessment by county commission to fund, authorized—

HB 937, pages 1555, 1867, 2072, 2073, 2370, 2397, 2438, act no. 84-524

**BALDWIN COUNTY (Continued)**

Rescue squads, appropriations and equipment, county commission, authorized to make—

HB 855, pages 1370, 1489, 1579, 2364, 2392, 2437, act no. 84-498

Sales tax proceeds, distribution of—

HB 935, pages 1555, 1866, 2071, 2370, 2396, 2438, act no. 84-523

Twenty-eighth judicial circuit district attorney's investigators powers—

HB 859, pages 1371, 1489, 1580, 2364, 2393, 2437, act no. 84-500

**BANKS AND BANKING**

Branch banking provided for—

HB 96, pages 24, 128, 895, 987, 1012, 1089

Branch banks, automatic tellers and electronic funds transfer does not constitute—

HB 98, pages 24, 128, 907, 908

Credit union boards, appointments and meetings—

HB 143, pages 33, 129, 1922

Credit unions, examination fees—

HB 142, pages 33, 129, 882

SB 363, pages 1129, 1862

Loans of \$25,000 or less, sunset provisions on, removed—

HB 100, pages 24, 128

SB 91, pages 217, 276, 538, 605, act no. 84-108

Organized under state law, authorized to engage in those activities savings and loan associations are authorized to engage—

SB 436, pages 1049, 1050, 1104

Small loan act, licensees under, annual reports of—

HB 93, pages 22, 128, 873, 875

SB 191, pages 1051, 1064, 1738, 1912, act no. 84-287

State employees or retired persons, electronic transfer of funds, provided for—

HB 223, pages 80, 229, 772, 774, 789

State warrants, cancelled, destruction of, provided for—

HB 224, pages 80, 229, 1532

SB 287, pages 423, 584, 2293, 2323, act no. 84-473

**BARBERS AND BARBERING**

Practice of, regulated—

HB 500, pages 414, 450

**BARBOUR COUNTY**

County commission, authorized to pay sheriff's clerk—

HB 488, pages 273, 451, 723, 2295, 2311, 2434, act no. 84-418

Pistol permit fee, levied—

HB 490, pages 273, 451, 724, 2294, 2311, 2434, act no. 84-420

Sheriff, authorized to keep prisoner's food allowance—

HB 489, pages 273, 451, 723, 724, 2295, 2311, 2434, act no. 84-419

Sheriff's clerk, county commission authorized to pay—

HB 488, pages 273, 451, 723, 2295, 2311, 2434, act no. 84-418



**BARBOUR COUNTY (Continued)**

Third judicial circuit, not guilty, written plea of, constitutes waiver of right to arraignment—

HB 909, pages 1548, 1656, 1880, 2365, 2394, 2438, act no. 84-510

**BARTOW, GENE**

Commended—

SJR 85, pages 520, 533, act no. 84-90

**BATES, MARILYN**

Commended—

HR 122, page 478

**BATT, HERBERT CLAYTON**

Commended—

HJR 336, page 1895

**BAY MINETTE INFIRMARY**

Nurses, commended—

HR 307, page 1535

**BEACHES**

Sea oats, picking of, made a misdemeanor—

HB 95, pages 24, 706

**BEAL, MR. AND MRS. WILLIAM THOMAS**

Congratulated—

HR 180, page 701

**BEARDEN, J. E. "NED"**

Commended—

HJR 138, pages 515, 770, 799, 810, act no. 84-154

**BECK, MRS. VERA ISBELL**

Death mourned—

HJR 355, page 2053

**BEER TAX**

Green county, distribution—

HB 239, pages 104, 158, 258, 259, 287, 2318, 2360, 2436, act no. 84-530

**BELK, JERRY**

Commended—

HJR 118, pages 475, 771, 798, 810, act no. 84-148

**BELOIT COMMUNITY**

Recycle capitol of Alabama, designated as—

HJR 30, pages 54, 154, 159, 242, act no. 84-16

**BENDALL, VALERIE RHEA**

Commended—

SJR 5, pages 96, 176, act no. 84-6

**BETHUNE, MR. AND MRS. LUTHER EDGAR**

Commended—

HJR 150, pages 555, 770, 799, 810, act no. 84-160

**BIBB COUNTY**

Sheriff's department, staff, compensation—

SB 601, pages 2142, 2143, 2163, 2349, 2388, act no. 84-453

Taxation, to levy and distribute, constitutional amendment—

SB 369, pages 2149, 2162

**BIDDLE, ALEYNE LEWIS**

Death mourned—

HJR 214, pages 876, 902, 909, 944, act no. 84-181

**BILLIARD TABLES**

Commercial operation of, provided for—

HB 290, pages 117, 132, 776, 1638, 1691, 1857, act no. 84-255

**BIRDS**

Avian influenza, violations of laws pertaining to, penalties provided—

SB 343, pages 1050, 1248, 1391, 1833, 1913, act no. 84-283

**BIRMINGHAM**

City council, additional employees, provided for—

HB 841, pages 1112, 1543, 1689, 2377, 2402, 2439, act no. 84-629

City council, mayor, additional assistants, authorized—

HB 791, page 1066

Council employees, pension plan, regulated—

HB 584, pages 471, 590, 735, 2276, 2315, 2435, act no. 84-439

Horse racing, provided for—

HB 13, pages 6, 41, 134, 321, 360, 391, 393, 426, 625, 663, 689, 714,  
787, act no. 84-131

SB 319, pages 280, 282

Mayor and council, date set to take office—

HB 675, pages 716, 1543, 1688, 2377, 2401, 2438, act no. 84-625

Mayor, authorized to hire certain staff—

HB 788, pages 1065, 2044, 2129, 2374, 2402, 2439, act no. 84-626

Mayor, expense allowance, increase—

HB 583, pages 471, 590, 731, 2275, 2315, 2435, act no. 84-618

Pension and relief or retirement system, deferred retirement systems,  
provided for—

HB 288, pages 116, 790, 867

Retirement and relief system, repayment of loans—

HB 672, pages 954, 997, 1084, 2356, 2378, 2436, act no. 84-565

Staff, mayor, authorized to hire—

HB 788, pages 1065, 2044, 2129, 2374, 2402, 2439, act no. 84-626

Water and sewer, service charge—

HB 533, page 457

Water works board, membership increased—

HB 109, page 26

Wharves, bond issue to construct, water courses altered—

HB 784, pages 1001, 1543, 1686

SB 564, pages 2132, 2158, 2341, 2342, 2385, 2432, act no. 84-444

## BIRMINGHAM (Continued)

Vending machines, tax levied on—  
HB 719, page 857

## BIRMINGHAM FOOTBALL FOUNDATION, INC.

Tax exemptions, applied—  
HB 684, pages 718, 1494, 1748, 1749, 2398, 2409, 2440, act  
no. 84-664

## BIRMINGHAM JAYCEES, INC.

Tax exemptions, provided—  
HB 580, page 470

## BISHOP, JOHN W.

Commended—  
SJR 78, pages 519, 532, act no. 84-87

## BLACK WARRIOR WILDLIFE MANAGEMENT AREA

Boundaries expanded—  
HB 197, pages 75, 230, 776

## BLALOCK, I. A. (GENE)

Death mourned—  
HR 83, page 222

## BLAYNEY, KEITH D.

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**BRACKETT, MRS. LOLA W.**

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**BROOKS, BETTY E.**

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Weaver, city of, civil service system established—  
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## CARVER HIGH SCHOOL BASKETBALL TEAM

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Health education and arts complex, Alexander city junior college,  
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## C. C. "CHICK" CARLTON BUILDING

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## DAVIS, CAPTAIN JAMES A. "BUBBA"

Death mourned—

HR 11, page 39

HJR 53, pages 145, 154, 159, 242, act no. 84-19

## DAVIS, NORMAN H.

Commended—

HJR 151, pages 555, 771, 799, 811, act no. 84-161

## DAVOREN, WILLIAM F.

Commended—

HJR 347, page 2048

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Designated—

HJR 288, pages 1446, 1927, 2031, 2083, act no. 84-300

## DeKALB COUNTY

Death certificates, health officer to issue—

SB 505, pages 2140, 2141, 2160

## DEAF AND BLIND

Institute for, employees, professional leave for, required to provide—  
HB 49, page 13

## DEATH CERTIFICATES

County health officers, to issue—  
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## DEERMAN, VAN

Commended—  
HJR 222, pages 959, 1323, 1351, 1384, act no. 84-209

## DELAINE, JOANNA

Commended—  
HR 240, page 1005

## DELAINE, MR. AND MRS. LAWRENCE LEVI

Commended—  
HJR 112, pages 455, 598, 602, 704, act no. 84-125

## DELCHAMPS, JR., MRS. ALFRED F.

Commended—  
HJR 119, pages 476, 771, 798, 810, act no. 84-149

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HB 121, page 28

## DENTISTS AND DENTISTRY

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HB 295, pages 118, 228, 925, 944, 946

Insurance coverage, individual's right to select dentist—  
HB 152, pages 66, 228, 149, 1753  
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citizens—  
HJR 123, page 478

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**DEPARTMENT OF YOUTH SERVICES****Professional development program, pay and release time for  
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**DEPENDENTS OF BLIND PARENTS****Educational benefits for, family income monetary restrictions,  
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HB 403, pages 169, 991

**DEPUTY REGISTRARS****High school and college officials to serve as—**

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**DESIGNATION OF HIGHWAYS, ROADS AND BRIDGES****"Bill Nichols Bridge", on Alabama 14, named—**

SJR 10, pages 97, 177, act no. 84-8

**Lee Callaway Bridge, Baldwin county, named—**

SJR 223, pages 2113, 2350, 2389, act no. 84-466

**DIESEL FUEL****Inspection fee, increased—**

HB 181, pages 71, 582, 791, 795, 800, 802, 1109, 1124, 1262, act  
no. 84-185

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HB 174, pages 70, 229, 1846

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**DILWORTH COMMUNITY CENTER****Commended—**

HJR 221, pages 958, 1323, 1351, 1384, act no. 84-208

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Postsecondary education programs for, established—

HB 46, pages 13, 294, 1800, 2157, 2179, 2296, act no. 84-380

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**DISTRICT ATTORNEY'S OFFICES**

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HB 409, pages 232, 275, 1562, 1565

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**DOBBINS, L.D.**

Congratulated—

HR 104, page 411

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**DOTHAN HIGH SCHOOL**

Band, commended—

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**DOTHAN OIL MILL**

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HR 229, page 977

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Possession of and transactions in, penalties provided—

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Confiscation of property or business, by state, illegal drug activity—

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Generic, medicaid prescriptions, procedure, established—

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## DUTY-FREE LUNCH

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## EAST ALABAMA SERVICES FOR THE ELDERLY, INC.

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State property, sale of, to administer—  
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Local school trustees, appointment of, by county boards of education, requirement eliminated—  
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Public education employees insurance board, retired employees, included in—  
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School bus drivers, license, training, regulated—  
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Voter reidentification program, established—  
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**FLOYD, HOLLAND**

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## GEORGE LINDSEY CELEBRITY BENEFIT, INC.

Tax exemptions, provided—

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## GLENN, JOHN

Invited to address joint session—

SJR 51, pages 285, 427, 431, act no. 84-58

## GLYNN, ROBERT L.

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HR 187, page 735

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HB 312, pages 121, 228

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HB 847, pages 1113, 1388, 1848, 1849

## GORDON, ANTHONY

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Death sentence commuted by—

HB 363, pages 162, 583

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Executive residence preservation foundation, established—

HB 563, page 462

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Notified legislature is in session—

HJR 2, pages 4, 41, 42, 82, act no. 84-1

SJR 1, page 97

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HR 285, pages 1437, 1438, 1541

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HJR 132, page 509

## GOVERNOR'S EDUCATION REFORM COMMISSION

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## GOVERNORS OFFICE

Small business office of advocacy created under—  
HB 21, pages 9, 132, 1717, 1718

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## GRANGER, SCOTT F.

Commending—  
HJR 313, pages 1567, 2191, 2206, 2297, act no. 84-364

## GRAY, WADE

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SJR 165, pages 1123, 1220, act no. 84-202

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Beer tax revenue, may be used for lease agreements—  
HB 239, pages 104, 158, 258, 259, 287, 2318, 2360, 2436, act  
no. 84-530

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HB 693, pages 851, 1492, 1833

## GREYHOUNDS

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HB 376, page 164

## GRIFFIN, MILDRED

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HJR 196, pages 838, 913, 957, 989, act no. 84-182

## GRIMES, J. D.

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HR 148, page 554

## GRIMSLEY, GEORGE H.

Alabama highway 95 from Abbeville to Gordon, named—  
HJR 316, pages 1569, 2191, 2206, 2298, act no. 84-365

## GRIMSLEY, REP. GEORGE H.

Death mourned—  
HJR 279, pages 1264, 2190, 2204, 2297, act no. 84-351

Regretting illness of and wishing a speedy recovery—  
HJR 248, page 1044

## GROGAN, MR. AND MRS. TED

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HR 80, page 220

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HB 597, pages 547, 710, 866, 2156, 2181, 2296, act no. 84-383

## GUTHRIE, JEANETTE GROSS

Commended—

HJR 110, pages 453, 598, 602, 704, act no. 84-124

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HB 864, pages 1372, 1488, 1493

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meeting days shall not be printed and bound in the acts of  
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SB 68, pages 100, 126, 177

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## LETHANDER, O. WALTER

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HR 262, page 1090

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Commended—  
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Motor vehicle, minimum limits increased—

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Forest fire protection fee, levied—

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Health administrator, named—

HB 723, pages 858, 995, 1429

Law library, court cost fees to fund, increased—

HB 801, pages 1070, 1394, 2059, 2375, 2402, 2439, act no. 84-627

## HALL, LEONARD A.

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County or municipal employees, blind, retirement credits provided—

HB 768, pages 954, 1101, 1841, 1842

Identification cards, provided, issuance fee—

HB 593, pages 546, 585, 1754, 1755

Items, certain, used by, sales and use tax exemption—

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## HANKS, COACH LE VAUGHN

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HR 228, page 977

**HARRIS, MR. AND MRS. GEORGE**

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**HART, GARY**

Invited to address joint session—

HJR 56, pages 171, 200, 246, 283, act no. 84-49

**HARTMAN, RUFUS EDWARD**

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HR 149, page 555

**HAZARDOUS MATERIALS**

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**HAZARDOUS MATERIALS DISCHARGE**

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**HAZARDOUS WASTE**

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SB 22, pages 215, 217, 275, 288, 308, 309, 431, act no. 84-50

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SB 382, pages 2083, 2157, 2353, 2387, act no. 84-447

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**HAZARDOUS WASTE MANAGEMENT ACT**

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**HEWITT-TRUSSVILLE HIGH SCHOOL**

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**HICKMAN, JUDGE WILEY**

Death mourned—

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**HIGGINS, LAMAR**

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HR 387, page 2197

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## HUCKABEE, SHERER

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## HUGHES, COACH NELSON R.

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HB 498, pages 414, 590, 730, 2275, 2314, 2435, act no. 84-438  
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provided—  
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## JONES, RHUBARB

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Third, not guilty, written plea of, constitutes waiver of right to  
arraignment—

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Thirteenth, circuit clerk to deduct 5% of earned income from invested  
money—

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Thirty-fourth, public defender, office established—

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Thirty-second, orders and decrees, filing regulated—

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benefits—

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Twelfth, additional judgeship, established—

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Death mourned—  
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**KELLER, BOBBY**

Commended—  
HJR 333, page 1861

**KELLEY, PHIL**

Former representative, commended—  
HJR 169, pages 694, 738, 797, 810, act no. 84-140

**KESLER, BETTYE J.**

Death mourned—  
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**KIMBROUGH, W. H. "ZEKE"**

Commended—

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**KINDERGARTENS**

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**KING, MARTIN LUTHER, JR.**

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**KIWANIS CLUB OF DADEVILLE**

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**KUYKENDALL, JOHN W.**

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**LAMBERT, MRS. EVELYN M.**

Congratulated—

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**LAMMONS, MICHAEL**

Commended—

HR 266, page 1115

**LANCE, W. O.**

Commended—

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## LARISON, ROBERT

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HR 88, page 274

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keep gun and badge upon retirement—

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HB 424, pages 235, 299

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Pike county, county and city, to enforce state illegal waste dumping  
statutes—

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## LAWSON, KATHLEEN

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## LAWSON, QUEEN

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## LEE CALLOWAY BRIDGE

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**LITTLE, FRANCES ELIZABETH**

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**LIVESTOCK DEALERS' FINANCIAL RESPONSIBILITY ACT**

Catfish, included under—  
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eliminated—  
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## LYMAN WARD MILITARY ACADEMY

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## MABREY, VELPO

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SJR 17, pages 187, 247, act no. 84-32

## MACK, AIMEE

Commended—

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## MADISON COUNTY

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HB 753, pages 950, 1489, 1578, 2282, 2313, 2435, act no. 84-433

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HB 730, pages 859, 998, 1088, 2295, 2312, 2434, act no. 84-426

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**MANRY, KATHY**

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**MARION**

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**MARION COUNTY**

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County governing body, chairman and associate members, serve full  
time, compensation—

HB 928, pages 1553, 1866, 2071, 2375, 2402, 2439, act no. 84-631

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## MAYHALL, JUDGE ROY

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## MAYS, JAMES McCOY

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## McARDLE, MR. AND MRS. CHRISTOPHER

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## McCARTNEY, MICHEAL HENRY

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SJR 61, pages 514, 532, act no. 84-82

## McCLENDON, FREDERICK R.

Death mourned—

SJR 200, pages 1681, 1823, act no. 84-265

## McKELLAR, PAULETTE LOUISE

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## McLENDON, MR. AND MRS. HENRY

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- Brown, rev. J.C., death mourned—  
HR 200, page 840

## RESOLUTIONS (Continued)

Bryant, Heather, commended—

HJR 208, pages 843, 1093, 1093, 1099, act no. 84-197

Budget isolation act, legislative authority expressed—

SJR 29, pages 187, 536, act no. 84-02

Budget isolation act, recalling act no. 81-889—

HJR 16, pages 44, 212, 213, 284, act no. 84-48

Budget isolation amendment, governor requested to appeal decision of the Montgomery circuit court—

HR 285, pages 1437, 1438, 1541

Bulgar, James Donald, death mourned—

SJR 104, pages 541, 606, act no. 84-114

Bunch, Fay, commended—

HJR 271, pages 1118, 2191, 2204, 2297, act no. 84-348

SJR 172, pages 1128, 1321, act no. 84-234

Bush, George, invited to address a joint session—

HJR 127, pages 480, 598, 603, 704, act no. 84-127

Bush, J.D., death mourned—

HR 217, page 957

Business and labor policy group, created—

HJR 22, pages 48, 50

SJR 27, pages 185, 452

Cahill, Robert G., commended—

HR 388, page 2202

Calhoun county local officials salary commission, established—

SJR 224, pages 2111, 2188, act no. 84-340

Campbell, James J., illness regretted—

HJR 249, pages 1045, 1325, 1352, 1384, act no. 84-222

Cannon, Lena F. (Lee), commended—

HJR 140, pages 523, 770, 799, 810, act no. 84-155

Capitol police, urged to hire blacks to fill vacancies—

HJR 269, page 1114

Cargile, Trudy, commended—

HR 154, page 559

Carroll, James Bowen, death mourned—

HJR 293, pages 1449, 2191, 2205, 2297, act no. 84-355

Carter, Jimmy, welcomed—

SJR 176, pages 1378, 1379, 1403, 1443, act no. 84-238

Carter, Terry and Mary, commended—

HJR 120, pages 477, 771, 798, 810, act no. 84-150

Carver high school basketball team, commended—

HJR 144, pages 543, 770, 799, 810, act no. 84-157



## RESOLUTIONS (Continued)

- C.C. "Chick" Carlton building at Chilton area horticulture substation, named—  
SJR 82, pages 519, 533, act no. 84-89
- Central high lady falcons day, recognized—  
HJR 101, pages 410, 598, 602, 704, act no. 84-121
- Central high school girls' basketball team, commended—  
SJR 59, pages 516, 532, act no. 84-81
- C.F. Vigor high school and Mobile county board of education, commended—  
SJR 154, pages 1123, 1321, act no. 84-232
- Champion, coach Ralph, commended—  
HR 327, page 1767
- Champion, Ralph C., gym in Madison county, designated—  
HJR 277, pages 1222, 2190, 2204, 2297, act no. 84-350
- Chappell, Teresa Lynn, commended—  
HJR 207, pages 842, 1093, 1093, 1099, act no. 84-196
- Child abuse, joint legislative committee to study, established—  
SJR 185, pages 1679, 2350, 2389, act no. 84-465
- Children and youth, joint interim legislative study committee—  
HJR 67, pages 178, 452, 2192, 2203, 2297, act no. 84-316
- China and Alabama, trade agreement between, ratified—  
HJR 273, pages 1119, 2190, 2204, 2297, act no. 84-349  
SJR 179, pages 1677, 1678, 1823, act no. 84-263
- Clanton, Floyd H., commended—  
HR 322, page 1672
- Clay county hospital and nursing home, commended—  
SJR 107, pages 667, 793, act no. 84-174
- Cloverdale, junior high school basketball team, commended—  
HJR 124, pages 479, 598, 602, 704, act no. 84-126
- Coffee and Pike counties, certain highways designated for delivery of truck trailers—  
HJR 42, pages 92, 597, 601, 704
- Coleman, James Parrish, death mourned—  
SJR 52, pages 517, 532, act no. 84-78
- Colleges and universities, expenditures, failure of insurance program—  
SJR 103, pages 541, 605, act no. 84-115
- Collinsville panthers, commended—  
SJR 40, pages 214, 430, act no. 84-54
- Columbia general hospital, commended—  
SJR 231, pages 2108, 2188, act no. 84-337
- Commissioner of revenue, directed to cease collecting taxes from coin-operated and self-service laundries—  
HJR 268, page 1116

## RESOLUTIONS (Continued)

- Confederate belles basketball team, commended—  
HR 314, page 1568
- Congress, judicial system, urged to study—  
HJR 70, pages 186, 597, 602, 704, act no. 84-117
- Congress, school prayer amendment, urged to support—  
HJR 109, pages 453, 598, 602, 704, act no. 84-128
- Constitutional amendment, right to work—  
HJR 190, page 756
- Correctional officers week, designated—  
SJR 236, pages 2110, 2189, act no. 84-332
- Corrections department, agencies required to purchase articles from—  
SJR 109, pages 667, 793, act no. 84-173
- Cost survey committee, governor requested to establish—  
HJR 47, pages 101, 103  
HJR 52, pages 143, 144
- Cowen, James W. "Bill", commended—  
SJR 79, pages 519, 533, act no. 84-88
- Crider, Grover, commended—  
HR 260, page 1078
- Dannelly, Edward A., death mourned—  
SJR 100, pages 541, 605, act no. 84-111
- Dauphin island, purchase of, joint legislative interim committee—  
HJR 66, pages 177, 452, 554
- Davidson, Stephen and Lammons, Michael, commended—  
HR 266, page 1115
- Davis, B. Frank, death mourned—  
HR 198, page 840
- Davis, Beatrice, commended—  
HR 239, page 1005
- Davis, captain James A. "Bubba", death mourned—  
HR 11, page 39  
HJR 53, pages 145, 154, 159, 242, act no. 84-19
- Davis, Norman H., commended—  
HJR 151, pages 555, 771, 799, 811, act no. 84-161
- Davoren, William F., commended—  
HJR 347, page 2048
- Day of prayer, designated—  
HJR 288, pages 1446, 1927, 2031, 2083, act no. 84-300
- Deerman, Van, commended—  
HJR 222, pages 959, 1323, 1351, 1384, act no. 84-209
- Delaine, Joanna, commended—  
HR 240, page 1005
- Delaine, mr. and mrs. Levi Lawrence, commended—  
HJR 112, pages 455, 598, 602, 704, act no. 84-125

## RESOLUTIONS (Continued)

- Delchamps, jr., mrs. Alfred F., commended—  
HJR 119, pages 476, 771, 798, 810, act no. 84-149
- Dilworth community center, commended—  
HJR 221, pages 958, 1323, 1351, 1384, act no. 84-208
- Dobbins, L.D., congratulated—  
HR 104, page 411
- Dothan high school band, commended—  
HJR 152, pages 557, 771, 799, 811, act no. 84-162
- Dothan oil mill, appreciation extended—  
HR 229, page 977
- Drury, R.W., congratulated—  
HR 345, page 2048
- Dulaney, Walter W., honored posthumously—  
HR 107, page 412
- Dutton, mr. and mrs. Roger D., congratulated—  
HJR 337, page 1896
- Education department, scoliosis examination—  
SJR 62, pages 514, 532, act no. 84-83
- Egypt, motion picture policy, condemned—  
HJR 57, page 171
- Elba high school band, commended—  
HJR 211, pages 845, 1090, 1091, 1098, act no. 84-189
- Ellis, the Gary family, commended—  
HR 393, page 2331
- Enterprise high school band, commended—  
HJR 210, pages 844, 1090, 1091, 1098, act no. 84-188
- Fayard, Sarah, commended—  
HR 253, page 1076
- Fellows, jr., Walter Scott, commended—  
HJR 87, page 265
- Flowers hospital, congratulated—  
HJR 350, page 2050
- Flowers, jr., Walter W., death mourned—  
SJR 203, pages 1681, 1823, act no. 84-266
- Floyd, Holland, death mourned—  
SJR 219, pages 1927, 2039, act no. 84-303
- Floyd, mr. and mrs. James, congratulated—  
HR 171, page 694
- Forbes, rev. Isaac Leon, commended—  
HJR 301, pages 1454, 2192, 2205, 2297, act no. 84-361

## RESOLUTIONS (Continued)

4-H club diamond anniversary, 1984, named—

HJR 49, pages 141, 201, 245, 283, act no. 84-45

SJR 26, pages 185, 248, act no. 84-36

Franklin, R. Lee, death mourned—

HJR 38, pages 90, 155, 170, 242, act no. 84-28

Fuller, Claire Nell, commended—

HR 137, page 514

SJR 102, pages 542, 605, act no. 84-113

Fuller, Jim, Jacksonville state university coach, commended—

HJR 79, pages 220, 314, 320, 464, act no. 84-67

Gaddy, Phillip Vincent, commended—

HR 202, page 840

Galloway, Lowell, commended—

HJR 168, pages 693, 738, 797, 810 act no. 84-139

Gamma omega chapter of pi kappa phi fraternity, university of Montevallo commended—

SJR 119, pages 850, 914, act no. 84-166

Garner, mr. and mrs. Howard, congratulated—

HR 295, pages 1450, 2192, 2205, 2297

Glenn, John, invited to address joint session—

SJR 51, pages 285, 427, 431, act no. 84-58

Glynn, Robert L., death mourned—

HR 187, page 735

Gordon, Anthony, commended—

HJR 235, pages 1003, 1324, 1352, 1384, act no. 84-217

Governor, notified legislature is in session—

HJR 2, pages 4, 41, 42, 82, act no. 84-1

SJR 1, page 97

Governor's task force on economic recovery, governor urged to reestablish—

HJR 132, page 509

Grandparents day, observance of—

SJR 4, pages 96, 176, act no. 84-5

Granger, Scott F., commending—

HJR 313, pages 1567, 2191, 2206, 2297, act no. 84-364

Griffin, Mildred, illness regretted—

HJR 196, pages 838, 913, 954, 989, act no. 84-182

Grimes, J.D., commended—

HR 148, page 554

Grimsley, George H., Alabama highway 95 from Abbeville to Gordon, named—

HJR 316, pages 1569, 2191, 2206, 2298, act no. 84-365

## RESOLUTIONS (Continued)

- Grimsley, rep. George H., death mourned—  
HJR 279, pages 1264, 2190, 2204, 2297, act no. 84-351
- Grimsley, rep. George, regretting illness of and wishing a speedy recovery—  
HJR 248, page 1044
- Grogan, mr. and mrs. Ted, commended—  
HR 80, page 220
- Guthrie, Jeanette Gross, commended—  
HJR 110, pages 453, 598, 602, 704, act no. 84-124
- Hall, Leonard A., commended—  
HJR 296, pages 1451, 2192, 2205, 2297, act no. 84-
- Hanks, LeVaughn, commended—  
HJR 44, pages 94, 201, 245, 283, act no. 84-43
- Harris, mr. and mrs. George and the Harris home, commended—  
HR 228, page 977  
HJR 244, pages 1007, 1324, 1352, 1384, act no. 84-220
- Hart, Gary, invited to address joint session—  
HJR 56, pages 171, 200, 246, 283, act no. 84-49
- Hartman, Rufus Edward, death mourned—  
HR 149, page 555
- Hazardous waste, legislative committee to study, amended—  
SJR 214, pages 1929, 2045, 2046, 2047, 2192, 2202, act no. 84-329
- Helmsing, Joseph H., death mourned—  
HR 98, page 409
- Hewitt-Trussville high school, wrestling team, commended—  
HJR 225, pages 961, 1324, 1351, 1384, act no. 84-212
- Hewitt-Trussville junior high school wrestling team, commended—  
HJR 310, pages 1566, 2192, 2205, 2297, act no. 84-362  
HR 392, page 233
- Hickman, judge Wiley, death mourned—  
HJR 167, pages 692, 738, 797, 810, act no. 84-138
- Higgins, Lamar, commended—  
HR 387, page 2197
- Highway building, house of representatives location, committee appointed to advise—  
HR 205, page 841
- Highway department requested to save highway 98 bridge over big creek lake as a fishing pier—  
HJR 340, page 1922
- Hill, Ginger Marie, commended—  
HJR 352, page 2052

## RESOLUTIONS (Continued)

Hillsman, Larry V., commended—  
HR 72, page 188

Historical records, legislative oversight committee, established—  
HJR 81, pages 221, 2190, 2203, 2297, act no. 84-319

Hokes bluff high school basketball team, commended—  
HR 126, page 480

Holley, Mary, illness regretted—  
HJR 197, pages 839, 1093, 1093, 1098, act no. 84-194

Homer, James P., commended—  
HJR 206, pages 841, 1093, 1093, 1099, act no. 84-195

Homewood, board of education and city schools, commended—  
HR 165, page 692

Homewood high school debating team, commended—  
HR 204, page 841

Hospitals, commended—  
SJR 205, pages 1681, 1823, act no. 84-267

House bill 13, legislative intent, clarified—  
HJR 194, pages 829, 831  
HJR 213, pages 847, 880, 893, 944, act no. 84-180

House rules, new 31A, adopted—  
HR 188, page 735

House secretarial staff, commended—  
HR 283, page 1430

Hubbert, mr. and mrs. Virgil, commended—  
HJR 35, pages 88, 155, 170, 242, act no. 84-26

Huckabee, Sherer, commended—  
HJR 46, pages 95, 201, 245, 283, act no. 84-44

Huckabee, Thomas Clarke, commended—  
HJR 43, pages 93, 201, 245, 283, act no. 84-42

Hughes, coach Nelson R., commended—  
HJR 102, pages 410, 598, 602, 704, act no. 84-122

Humana hospital, commended—  
HJR 184, pages 722, 2189, 2204, 2297, act no. 84-344

Hunt, John W., commended—  
HJR 312, pages 1567, 2191, 2206, 2297, act no. 84-363

Huntsville governmental study task force, established—  
SJR 170, pages 1128, 1321, act no. 84-233

Hurst, Lois B., commended—  
HR 328, page 1851

Interim committee, capitol security—  
HJR 359, page 2056

## RESOLUTIONS (Continued)

Interim committee, insurance laws—

HJR 348, pages 2049, 2050

HJR 364, pages 2076, 2279, 2308, 2434, act no. 84-413

Interim committee, municipal government, created—

HJR 368, pages 2166, 2164

Interstate commerce commission, requested to hold public hearings regarding certain railroads—

HR 37, page 89

HJR 40, pages 91, 597, 601, 704, act no. 84-116

Ishee, Hilton J., honored—

HR 398, page 2398

Jackson, Grady Russell, death mourned—

HJR 147, pages 554, 770, 799, 810, act no. 84-159

Jacksonville state university, women's and men's gymnastics team, commended—

HJR 223, pages 960, 1324, 1351, 1384, act no. 84-210

Jasper boy scouts, commended—

HR 219, page 957

Jeffcoat, Gaines Ray, commended—

HR 185, page 722

Jefferson county, horse racing tracks, legislative intent regarding—

HJR 213, pages 847, 880, 893, 944, act no. 84-180

Jemison high school girls basketball team, commended—

HJR 174, pages 695, 738, 797, 810, act no. 84-142

John Rogers act, HB 13, designated—

HJR 215, pages 915, 2190, 2204, 2297, act no. 84-346

John Shaw high school, Mobile, commended—

HJR 209, pages 843, 1093, 1094, 1099, act no. 84-198

Johnson, Albert, commended—

HR 242, page 1006

Johnson, Bill, commended—

HR 71, page 188

Johnson, James W., commended—

SJR 16, pages 187, 247, act no. 84-31

Johnson, jr., Marshel, death mourned—

HJR 220, pages 958, 1323, 1351, 1384, act no. 84-207

Johnson, mr. and mrs. Allen, commended—

HJR 51, pages 142, 201, 245, 283, act no. 84-47

Joint legislative committee on contract review, established—

SJR 133, pages 1587, 1588, 1589, 1687, 1701, act no. 84-277

## RESOLUTIONS (Continued)

Joint legislative committee to study Coosa river navigation project, established—

SJR 11, pages 1127, 1128, 1320, act no. 84-229

Joint legislative committee to study judicial building—

HJR 91, pages 279, 280, 451, 536, 557, 603, act no. 84-77

Joint interim committee to study state telephone system—

SJR 3, page 99

Jones, mr. and mrs. Carroll, commended—

HR 26, page 51

Jones, mrs. Irene J., commended—

HJR 375, page 2170

Jones, Rhubarb, commended—

HJR 227, pages 976, 977, 1324, 1352, 1384, act no. 84-214

Jones, Robert E., commended—

HJR 50, pages 142, 201, 245, 283, act no. 84-46

Jones, Samuel Curtis, armory in Collinsville, designated—

HJR 105, pages 411, 598, 602, 705, act no. 84-123

Judicial system, congress memorialized to study—

SJR 43, pages 215, 430, act no. 84-57

Julia Tutwiler, as portrayed by Kathryn Windham, invited to appear before a joint session—

HJR 243, pages 1006, 1007

Keith, dr. Gaines W., death mourned—

HR 354, page 2053

Keller, Bobby, commended—

HJR 333, page 1861

Kelley, Phil, former representative, commended—

HJR 169, pages 694, 738, 797, 810, act no. 84-140

Kesler, Bettye J., death mourned—

HR 201, page 840

Kimbrough, W. H. "Zeke", commended—

SJR 229, pages 2108, 2188, act no. 84-339

King, jr., Martin Luther, death commemorated—

SJR 142, pages 849, 915, act no. 84-170

Kiwanis club of Dadeville, commended—

HJR 250, pages 1045, 1325, 1352, 1385, act no. 84-223

Kuykendall, John W., commended—

SJR 77, pages 519, 532, act no. 84-86

Lambert, mrs. Evelyn M., congratulated—

HR 172, page 695

Lance, W. O., commended—

HJR 117, pages 475, 771, 798, 810, act no. 84-147



## RESOLUTIONS (Continued)

- Larison, Robert, commended—  
HR 88, page 274
- Lauderdale county, hazardous waste site, approved—  
HJR 272, page 1119
- Lawson, Kathleen, death mourned—  
SJR 115, pages 668, 793, act no. 84-176
- Lawson, Queen, commended—  
HR 317, page 1570
- Lee Calloway bridge, Baldwin county, named—  
SJR 223, pages 2113, 2350, 2389, act no. 84-466
- Legislative custodial staffs, extreme appreciation shown—  
HJR 294, pages 1450, 2192, 2205, 2297, act no. 84-356
- Legislative, joint interim committee to study Alabama's election laws—  
HJR 13, pages 40, 451
- Legislative, joint interim committee to study the rising cost of health care, created—  
HJR 4, page 34
- Legislative, joint interim committee to study the steel industry, created—  
HJR 3, pages 34, 665, 666, 797, 810, act no. 84-133
- Legislative, joint session—  
HJR 14, pages 43, 50, 83, 122, act no. 84-4
- Legislative oversight committee, needs of schools having low graduation rates, to study—  
HJR 111, pages 454, 698, 700
- Legislative, select joint committee to study welfare programs—  
HJR 17, pages 44, 452
- Legislative voting security, interim committee created—  
HJR 270, page 1117
- Legislative meeting place, amending act no. 83-850—  
HJR 56, pages 171, 200, 246, 283, act no. 84-49
- Lethander, Oscar L., Lethander, O. Walter, Zimnicki, Edward, commended—  
HR 262, page 1090
- Licenses, joint interim committee to study, established—  
SJR 217, pages 1926, 2164, 2168, 2288, act no. 84-327
- Limestone county educational task force, established—  
SJR 72, pages 669, 2163, 2164, 2293, 2324, act no. 84-468
- Little, Frances Elizabeth, death mourned—  
HJR 173, pages 695, 738, 797, 810, act no. 84-141
- Lott, Victor H., death mourned—  
HR 89, page 274

## RESOLUTIONS (Continued)

Love, mr. and mrs. Hobart, commended—  
SJR 127, pages 847, 914, act no. 84-167

Lowndes county, hazardous waste disposal site located within,  
approval—  
HJR 263, page 1113

Mabrey, Velpo, commended—  
SJR 17, pages 187, 247, act no. 84-32

Mack, Aimee, commended—  
HR 232, page 1001

Madison county tax distribution study committee, created—  
HJR 33, pages 87, 200, 245, 283, act no. 84-41

Manry, Kathy, commended—  
HR 289, page 1447

Martin, dr. James, congratulated—  
HJR 267, pages 1115, 1377, 1386, 1487, act no. 84-241  
SJR 166, pages 1123, 1220, act no. 84-203

Maye, Lula B., commended—  
HR 241, page 1006

Mayfield, George H., maintenance building at Northport national guard  
armory, named—  
HJR 65, pages 175, 314, 320, 464, act no. 84-63

Mayhall, judge Roy, death mourned—  
HJR 245, pages 1008, 1325, 1352, 1384, act no. 84-221

Mays, James M., death mourned—  
HJR 143, pages 540, 770, 799, 811, act no. 84-164

McArdle, mr. and mrs. Christopher, commended—  
HJR 233, pages 1001, 1324, 1352, 1384, act no. 84-215

McCartney, Michael Henry, death mourned—  
SJR 61, pages 514, 532, act no. 84-82

McClendon, Frederick R., death mourned—  
SJR 200, pages 1681, 1823, act no. 84-265

McKellar, Paulette Louise, commended—  
HJR 179, pages 700, 739, 798, 810, act no. 84-146

McLendon, mr. and mrs. Henry, congratulated—  
HR 397, page 2353

McMonigal, mr. and mrs., congratulated—  
HR 113, page 464

Megginson, mrs. Jane M., commended—  
HR 369, page 2168

Milner, Robert R., commended—  
SJR 41, pages 214, 430, act no. 84-55

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- Minor, Tim, commended—  
HJR 224, pages 960, 1324, 1351, 1384, act no. 84-211
- Mitchell, Steve, commended—  
HJR 234, pages 1002, 1324, 1352, 1384, act no. 84-216
- Mobile infirmary, commended—  
HJR 334, page 1877
- Mondale, Walter, invited to address joint session—  
HJR 63, pages 175, 257  
SJR 73, pages 424, 529, act no. 84-71
- Montgomery weather bureau staff, commended—  
HJR 377, page 2171
- Moore, rep. Sonny, congratulated—  
HJR 300, pages 1453, 2191, 2205, 2297, act no. 84-360
- Moorer, Christella, commended—  
HJR 360, page 2056
- Municipal utility boards, U.S. congress, memorialized to protect—  
HJR 325, page 1673
- NAACP month, designated—  
HR 45, page 94
- Nasbaum, Liz, commended—  
HJR 292, pages 1448, 2191, 2205, 2297, act no. 84-354
- Nettles, Ginger, commended—  
HR 55, page 147
- Newman, Cyrus E., death mourned—  
SJR 117, pages 849, 914, act no. 84-165
- Nix, coach Paul, commended—  
HR 395, page 2332
- Nungester, Frances E., commended—  
HR 326, page 1748
- Obstetricians, commended—  
SJR 206, pages 1681, 1823, act no. 84-268
- Orr, John Herbert, death mourned—  
SJR 235, pages 2111, 2188, act no. 84-333
- Orr, Winston Jones, commended—  
HJR 68, pages 178, 314, 320, 464, act no. 84-64
- Parnell, mr. and mrs. T.A., commended—  
HR 25, page 51
- Parrott, John L., commended—  
HR 343, page 1925  
SJR 210, pages 1681, 1823, act no. 84-269

## RESOLUTIONS (Continued)

Patterson, John M., commended—

SJR 149, pages 1123, 1124, 1386, 1443, act no. 84-237

Pensions and security department, department of economic and community affairs and all other state departments and agencies, directed to cease distribution of food stamps, etc. to non-U.S. citizens—

HJR 123, page 478

Persall, dr. J. Maurice, commended—

HJR 353, page 2052

Persons, Alicia Fay, commended—

HR 338, page 1905

Phillips, Albert M., commended—

HJR 121, pages 477, 771, 798, 810, act no. 84-151

Phillips, Thermon, commended—

SJR 19, pages 99, 177, act no. 84-11

Pierce, Junius, death mourned—

SJR 132, pages 849, 915, act no. 84-169

Pisgah high school football team, commended—

HJR 28, pages 53, 154, 159, 242, act no. 84-14

Plunkett, jr., N.F., commended—

HJR 76, pages 217, 598, 602, 704, act no. 84-119

President and U.S. congress, governmental relations with Republic of China, petitioned—

HJR 75, pages 211, 212, 597, 602, 704, act no. 84-118

SJR 50, pages 517, 532, act no. 84-72

President Reagan, urged to appoint Alabamian to t.v.a. board vacancy—

HJR 321, pages 1671, 2190, 2206, 2298, act no. 84-320

Pritchett, Charlotte Elizabeth Harper, congratulated—

HR 99, page 409

Professional secretaries international, Montgomery chapter of, commended—

SJR 146, pages 1128, 1320, act no. 84-230

Providence hospital, acquisition of same for v.a. medical center—

HR 134, page 511

Prudhomme, ms. Barbara Ely, commended—

HJR 69, pages 179, 314, 320, 464, act no. 84-65

Pruitt, Ira Drayton, former representative, death mourned—

HJR 23, pages 50, 155, 170, 242, act no. 84-25

Public school prayer, calling for legislative support of—

HJR 186, page 734

Public school week, designated—

SJR 18, pages 187, 247, act no. 84-33

## RESOLUTIONS (Continued)

Race horses, commended—

HR 41, page 92

Rains, rep. Euclid, commended—

HJR 370, page 2168

Ray Marsh drive, portion of U.S. 231, designated—

HJR 5, pages 35, 154, 159, 242, act no. 84-12

Raymond Waites day, designated—

HJR 8, pages 36, 41, 42, 82, act no. 84-2

Razzy Bailey day, designated—

HJR 237, pages 1004, 1324, 1352, 1384, act no. 84-219

Reagan, Ronald and U.S. congress urged to stop aid and trade to communist nations—

HR 125, page 479

Reagan, Ronald, invited to address a joint session—

HJR 106, pages 412, 452, 466, 530, act no. 84-69

Recess—

HR 386, page 2197

HR 391, pages 2299, 2398

Reed, rep. Thomas, HB 542, designated—

HJR 367, page 2165

Revenue department, urged to accept personal checks—

HJR 21, pages 48, 154, 159, 242, act no. 84-13

Reynolds, Paige Fernee, commended—

HJR 259, pages 1078, 1325, 1353, 1385, act no. 84-226

Richmond, Murrell Lolley, death mourned—

SJR 112, pages 668, 793, act no. 84-175

Robert E. Lee high school wrestling team, commended—

HR 371, page 2169

HR 372, page 2169

Roberts, Melton, congratulated—

HJR 159, pages 687, 738, 797, 810, act no. 84-134

Roberts, mr. David D., commended—

HJR 9, pages 37, 155, 170, 242, act no. 84-20

Ross, Percy, commended—

HJR 34, pages 87, 154, 159, 242, act no. 84-18

Rule change, 24b—

HR 381, pages 2173, 2174

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## RESOLUTIONS (Continued)

- Russell corporation, commended—  
SJR 191, pages 1679, 1823, act no. 84-264
- Rutland, Goodloe, commended—  
HR 265, page 1115
- Safe boating week, designated—  
HJR 299, pages 1452, 2192, 2205, 2297, act no. 84-359
- Sammons, dr. James H., recognized—  
SJR 234, pages 2112, 2188, act no. 84-334
- Scoliosis examinations—  
SJR 62, pages 514, 532, act no. 84-83
- Scott, Anne Maria, commended—  
HJR 363, page 2058
- Scott, Isaac Judson, death mourned—  
HJR 251, pages 1046, 1325, 1352, 1385, act no. 84-224
- Sego, Frank, commended—  
SJR 158, pages 1122, 1220, act no. 84-201
- Seibels, rep. George G., commissioned—  
HR 304, page 1530
- Senate notified house in session—  
HR 1, page 4
- Sessions, Tram, death mourned—  
SJR 6, pages 97, 176, act no. 84-7
- Shamburger, Riley; Gray, Wade; Ray, Thomas; Baker, Leo; honored  
posthumously—  
SJR 165, pages 1123, 1220, act no. 84-202
- Shelton, Barrett Clinton, death mourned—  
HJR 287, pages 1445, 1927, 2031, 2083, act no. 84-299
- Shrine organizations, taxes owed to revenue department payment of on  
installments, authorized—  
HJR 254, page 1076
- Singleton, Bennett Powell, death mourned—  
SJR 54, pages 517, 532, act no. 84-79
- Singleton, McKinley, commended—  
HJR 236, pages 1003, 1324, 1352, 1384, act no. 84-218
- Small business policy group, established—  
HJR 116, page 473
- Small business week, designated—  
HJR 20, pages 47, 154, 170, 242, act no. 84-23  
SJR 14, pages 98, 177, act no. 84-10
- Smith, Irvin Monroe, death mourned—  
HR 389, page 2202

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Smith, mr. and mrs. Robert L., commended—  
HR 62, page 174

Southall, Joseph S., congratulated—  
HR 278, page 1251

Southern legislative conference on children and youth, select committee  
to consider—  
SJR 44, pages 542, 605, act no. 84-109

Southern union state junior college student government association,  
commended—  
HJR 160, pages 688, 738, 797, 810, act no. 84-135

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HR 318, pages 1598, 1604  
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Species basilosaurus cetoides, ancient whale fossil, designated—  
HJR 78, pages 218, 314, 320, 464, act no. 84-66

Sprott, dr. J. Michael, commended—  
HJR 18, pages 46, 155, 170, 242, act no. 84-21

St. John, jr., Finis Ewing, death mourned—  
HJR 130, pages 481, 771, 799, 810, act no. 84-153

St. John's episcopal church in Montgomery, commended—  
SJR 230, pages 2108, 2188, act no. 84-338

St. Peter's catholic church, Montgomery, commended—  
HJR 203, pages 840, 913, 958, 989, act no. 84-183

Stanford, Regina, commended—  
HJR 258, pages 1077, 1325, 1352, 1385, act no. 84-225

Stanley, Byron F., death mourned—  
HR 274, page 1120

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State board of education, urged to recite pledge of allegiance in all classrooms—  
HR 315, page 1569

State employees, governor urged to effect moratorium regarding hiring of—  
HJR 131, pages 482, 484

State gymnastics championships, participants commended—  
SJR 64, pages 516, 532, act no. 84-84

State parks, joint legislative interim committee to study—  
HJR 64, page 175

Stephens, mr. and mrs. Curtis V., congratulated—  
HR 181, page 701

Stevenson, Alabama, citizens commended—  
HJR 29, pages 53, 154, 159, 242, act no. 84-15

Stewart, E.L., death mourned—  
HJR 19, pages 47, 154, 170, 242, act no. 84-22

Stowers, jr., John, commended—  
HJR 175, pages 696, 738, 797, 810, act no. 84-143

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Supreme court advisory opinion relative to HB 860—  
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Sutton, Bunnie E., commended—  
HJR 153, pages 558, 771, 799, 811, act no. 84-163

Sutton, mr. and mrs. W.E.G., honored—  
HR 344, page 2047

Sylacauga, city of, commended—  
HJR 320, pages 1664, 1667, 2191, 2206, 2298, act no. 84-366

Syltie, mr. Olaf A., death mourned—  
HJR 31, pages 55, 154, 159, 242, act no. 84-17

Sylvest, Harold, commended—  
HR 373, page 2169

Talladega county training school, basketball team, commended—  
HR 380, page 2173

Tanner, mr. and mrs. Orville W., congratulated—  
HJR 176, pages 697, 738, 798, 810, act no. 84-144

Taylor, Thomas A. (Tom), commended—  
HR 95, page 409



## RESOLUTIONS (Continued)

- Teachers and state employees, pay raise, sense of the house that increase should be equal—  
HR 178, page 698
- Third Alabama volunteer cavalry corps, governor memorialized to reactivate—  
HJR 10, pages 38, 39, 452, 597, 601, 703, act no. 84-129
- Thomas hospital nurses, commended—  
HR 306, page 1535
- Thomas, jr., Frank P., honored—  
HJR 60, pages 173, 257, 285, 423, act no. 84-40
- Thomasville hospital, commended—  
SJR 233, pages 2112, 2188, act no. 84-335
- Thomasville junior women's club, commended—  
HJR 61, pages 174, 314, 320, 464, act no. 84-62
- Thompson, Hall, commended—  
SJR 247, pages 2112, 2189, act no. 84-331
- Toll-Free incoming call lines, urged—  
SJR 126, page 851
- Tracy, mrs. Dole, congratulated—  
HR 115, page 466
- Trawick, col. Adolphos, commended—  
HR 136, page 514
- Trotter, Fallon, commended—  
HR 96, page 409
- Truman, Harry S., 100th birthday, commemorated—  
SJR 233, pages 2112, 2188, act no. 84-335
- Turner, Binford "Ben", commended—  
HJR 332, page 1860
- Turner, mr. and mrs. Chester, commended—  
HJR 94, pages 408, 598, 602, 704, act no. 84-120
- Turner, Olivia, commended—  
HJR 361, page 2057
- Tuscaloosa academy basketball team, commended—  
SJR 76, pages 518, 532, act no. 84-85
- Tuscaloosa county elected and appointed officials salary commission, established—  
SJR 55, pages 516, 532, act no. 84-80
- University of Alabama-Birmingham basketball team, commended—  
SJR 86, pages 520, 533, act no. 84-91
- University of Alabama cheerleaders, commended—  
SJR 42, pages 215, 430, act no. 84-56

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University of Alabama-Huntsville, hockey team, commended—  
HJR 177, pages 697, 739, 798, 810, act no. 84-145

University of south Alabama jaguars basketball team, commended—  
HR 339, page 1921

U.S. congress, district of Columbia representation in—  
HJR 378, pages 2172, 2173

U.S. embassy in Israel, U.S. congress urged to relocate it to  
Jerusalem—  
HJR 238, pages 1004, 1005

U.S. marines, appreciation in Lebanon—  
SJR 83, pages 666, 793, act no. 84-172

U.S. postal service, urged to rescind suspension of operations in  
Mooreville, Alabama—  
HJR 195, pages 831, 2190, 2204, 2297, act no. 84-345

Vanzandt, Lenny, congratulated—  
HR 103, page 411

Vocational education study committee, life and reporting date  
extended—  
HJR 164, pages 691, 2189, 2204, 2297

W. Byron Causey health education and arts complex, Alexander city  
junior college, named—  
HJR 145, pages 544, 2189, 2203, 2297, act no. 84-343

Walker college, walker state technical college and Walker regional med-  
ical center, commended—  
HR 394, page 2331

Walker county junior college rebels, commended—  
HJR 129, pages 480, 771, 798, 810, act no. 84-152

Walker, Marie, commended—  
HJR 264, pages 1114, 2190, 2204, 2297, act no. 84-347

Walker, mr. and mrs. A.D., congratulated—  
HR 170, page 694

Walker regional medical center, inc., congratulated—  
HJR 351, page 2051

Walthall, Thomas A., commended—  
HR 342, page 1923

Warrick, sister Odessa, commended—  
HR 166, page 692

Washam, Wayne, commended—  
HJR 163, pages 691, 738, 797, 810, act no. 84-137

Washington, Jessie Ruth, death mourned—  
HJR 290, pages 1447, 2191, 2204, 2297, act no. 84-352

## RESOLUTIONS (Continued)

- Weaver, jr., William K., commended—  
SJR 128, pages 847, 915, act no. 84-168
- Weil, Nellie, commended—  
HJR 291, pages 1448, 2191, 2204, 2297, act no. 84-353
- Welch, William B., commended—  
HR 97, page 409
- West, Keith Lamar, commended—  
HR 379, page 2173
- Wetumpka, city of, congratulated—  
HJR 12, pages 39, 41, 43, 82, act no. 84-3
- Weygand, Freddie, commended—  
HJR 36, pages 89, 155, 170, 242, act no. 84-27
- Whitehurst, Charles, commended—  
HR 374, page 2169
- Wilder, Joseph, death mourned—  
HJR 323, pages 1672, 2191, 2206, 2298, act no. 84-367
- Wiley, Dan, commended—  
HJR 309, page 1547
- Wilkes, mr. and mrs. Robert C., commended—  
HR 199, page 840
- William, Norbert Hershael, commended—  
HJR 362, page 2057
- Williams, Ray, commended—  
HJR 297, pages 1451, 2192, 2205, 2297, act no. 84-358
- Willis, Gerald, invited to address the legislature—  
HR 100, page 410
- Wilson, Charlie and Allie, appreciation expressed—  
SJR 222, pages 1925, 2039, act no. 84-304
- Wilson, Julie Ann, commended—  
HR 298, page 1452
- Wilson III, William Thomas, commended—  
HR 349, page 2050
- Windham, Kathryn, portraying Julia Tutwiler, invited to appear before  
a joint session—  
HJR 243, pages 1006, 1007  
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- WZZK radio station, commended—  
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- Court ordered continuing income withholding—  
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act no. 84-370
- Court ordered, employers authorized to withhold wages—  
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Crime victims compensation commission, established—

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Defendants ordered to make time for payments received to be trans-  
mitted, clarified—

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## RETIREMENT

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## RETIREMENT SYSTEMS

Benefits changed—

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County or municipal employees, blind, vested retirement credit,  
benefits—

HB 768, pages 954, 1101, 1841, 1842

Education employees, retired, included in public education insurance  
board—

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Employees and teachers creditable service, under, for public service  
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Employees and teachers, re-opened for certain military service—

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Employees and teachers, re-opened for certain non-membership  
service—

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Employees, board of control, members increased—

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Employees, class 2 municipalities covered under, prior service credit for  
new employees—

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Employees, cost of living increase to survivors of deceased employee—

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Employees, legislators included under—

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Employees, re-opened, municipal employees, certain—  
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Employees, state employees and retired employees association, certain,  
authorized to join—  
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HB 37, page 11  
HB 68, page 16

Military service, re-opened for—  
HB 721, pages 857, 1543  
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Municipalities, civil service systems, abolished to participate in—  
SB 170, page

Office of prosecution services, eligible for membership—  
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South Africa or Nanibia—  
HB 67, page 16

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employment—  
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Teachers and employees, members, cost of living increase, provided—  
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Teachers, retired teachers association, may elect to become members  
of—  
HB 519, pages 418, 832

Teachers, surviving spouse, change in allowance, for—  
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Alabama certified appraiser, mapper and tax administrator, annual payment to provided for—  
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HB 697, pages 852, 991, 1261, 1619, 1621, 1622, 1634, 1635, 1694

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HB 442, page 238

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**REYNOLDS, PAIGE FERNEE**

Commended—  
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**RICHMOND, MURRELL LOLLEY**

Death mourned—  
SJR 112, pages 668, 793, act no. 84-175

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HR 372, page 2169

## ROBERTS, MELTON

Retirement, congratulated—

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## ROBERTS, MR. DAVID D.

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## ROGERS, JOHN

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## ROSS, PERCY

Commended—

HJR 34, pages 87, 154, 159, 242, act no. 84-18

## RUBELLA VACCINE

Appropriation, provided—

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## RURAL ELECTRIC COOPERATIVES

Territories for service, established—

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## RUTLAND, GOODLOE

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## SAFE BOATING WEEK

Designated—

HJR 299, pages 1452, 2192, 2205, 2297, act no. 84-359

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## SAMMONS, DR. JAMES H.

Recognized—

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## SARALAND

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HB 253, page 108

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## SAVINGS AND LOAN ASSOCIATION

Activities, engaged in, banks organized under state law, also authorized—

SB 436, pages 1049, 1050, 1104

## SCHOOL BOARDS

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HB 274, page 114

## SCHOOLS

Attendance, grades 9-12, 80% of time, required—

HB 556, page 461

Bus drivers, license, training regulated—

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Low graduation rates, legislative oversight committee to study needs of—

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HB 670, pages 686, 713, 1012, 1038, 2410, 2432, 2440, act no. 84-622

Nurse, provided—

HB 546, page 459

## SCOTT, ANNE MARIA

Commended—

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## SCOTT, ISAAC JUDSON

Death mourned—

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## SEAFOOD PROCESSORS AND DEALERS

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## SEAFOODS

Commercial shrimp trawling in closed waters, graduated penalties provided—  
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HB 432, pages 236, 587, 1779

Penalties increased for violation of seafood laws—  
HB 117, pages 27, 230  
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## SEAFOODS ADVISORY BOARD

Conservation and natural resources department, established—  
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## SECRETARY OF STATE

Hazardous waste disposal sites, persons having financial interest, required to file financial statement with—  
HB 945, pages 1558, 1655, 2077

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## SEIBELS, REP. GEORGE G.

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SB 272, pages 1052, 1102

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**SESSIONS, TRAM**

Death mourned—  
SJR 6, pages 97, 176, act no. 84-7

**SEVENTEEN YEAR OLDS**

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HB 562, pages 462, 587  
SB 392, pages 2082, 2131

**SEXUAL OFFENSES**

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HB 320, pages 135, 228

**SHAMBURGER, RILEY**

Honored posthumously—  
SJR 165, pages 1123, 1220, act no. 84-202

**SHELBY COUNTY**

Alabaster, city of, corporate limits altered—  
HB 710, pages 855, 1394, 1499, 2276, 2315, 2435, act no. 84-440

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Pelham, city of, approval of alteration, rearrangement and extension of corporate limits, election set—  
HB 890, pages 1441, 1656, 1879, 2371, 2396, 2438, act no. 84-521

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HB 529, pages 456, 1394, 1498, 2368, 2390, 2437, act no. 84-484

Planning commission members, organization and functions, provided further for—  
SB 607, pages 2145, 2146, 2163, 2349, 2388, act no. 84-454

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HB 893, pages 1442, 1866, 2118

Recordation fee, provided—  
HB 949, pages 1558, 2043, 2119

Vincent, town of, mayor residence requirements, regulated—  
HB 568, page 468

**SHELTON, BARRETT CLINTON**

Death mourned—  
HJR 287, pages 1445, 1927, 2031, 2083, act no. 84-299

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Washington county, prisoners, feeding allowance—  
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**SHOALS PRESBYTERIAN APARTMENTS INC.**

Ad valorem taxes, exempt—  
HB 595, pages 547, 992, 1778, 2308, 2362, 2436, act no. 84-611

**SHRIMP AND SHRIMPING**

Commercial trawling in closed waters, graduated penalties provided—  
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Oversized commercial shrimp trawls, graduated penalties for using—  
HB 115, pages 26, 130

Persons not licensed bait shrimp dealers, catching of, by—  
HB 112, pages 26, 130

**SHRINE EVENTS**

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**SHRINE ORGANIZATIONS**

Taxes owed to revenue department, payment of on installments,  
authorized—  
HJR 254, page 1076

**SINGLETON, BENNETT POWELL**

Death mourned—  
SJR 54, pages 517, 532, act no. 84-79

**SINGLETON, MCKINLEY**

Commended—  
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**SMALL BUSINESS**

Defending against a state agency, allowed to recover costs upon prevail-  
ing in court—  
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SB 20, pages 1646, 1656, 2278, 2324

Policy group, established—  
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**SMALL BUSINESS OFFICE OF ADVOCACY**

Created—

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**SMALL BUSINESS WEEK**

Designated—

HJR 14, pages 43, 50, 83, 122, act no. 84-4

**SMALL LOANS**

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SB 191, pages 1051, 1064, 1738, 1912, act no. 84-287

\$25,000 or less, sunset provision on, removed—

HB 100, pages 24, 128

SB 91, pages 217, 276, 538, 605, act no. 84-108

**SMITH, IRVIN MONROE**

Death mourned—

HR 389, page 2202

**SMITH, MR. AND MRS. ROBERT L.**

Commended—

HR 62, page 174

**SOCIAL SECURITY**

State agency transferred to state comptroller—

HB 526, pages 419, 583, 1530

**SOCIAL WORK EXAMINERS**

Board of, continued—

SB 27, pages 184, 226, 485, 534, act no. 84-93

**SOCIAL WORKERS**

Qualifications, provided for—

HB 456, pages 266, 291, 883

**SOIL PERCOLATION TESTS AND BORINGS**

State health department to establish training programs for persons interested in qualifying to perform—

HB 72, pages 17, 129

SB 50, pages 1051, 1104

**SOLID WASTE**

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HB 480, page 271

Treatment plants, counties to incorporate public corporations, authorized, bond issue—  
HB 585, pages 472, 587, 1454, 1456, 1481, 1483, 1518  
SB 426, pages 1380, 1382, 1660, 2077, 2099, act no. 84-314

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Retirement systems prohibited from investing in business doing business with—  
HB 67, page 16

**SOUTHALL, JOSEPH S.**

Congratulated—  
HR 278, page 1251

**SOUTHERN LEGISLATIVE CONFERENCE ON CHILDREN AND YOUTH**

Select committee to consider—  
SJR 44, pages 542, 605, act no. 84-109

**SOUTHERN UNION STATE JUNIOR COLLEGE**

Student government association, commended—  
HJR 160, pages 688, 738, 797, 810, act no. 84-135

**SOYBEANS**

Promotion of, regulated—  
SB 201, pages 422, 423, 586, 1850, 1902, act no. 84-274

Promotion, production, research, marketing, use of, assessment levied on the sale of—  
HB 71, pages 17, 129, 1851

**SPECIAL EDUCATION TRUST FUND**

Budget—  
HB 231, pages 82, 1102, 1265, 1321, 1325, 1346, 1354, 1360, 2206, 2274, 2298, act no. 84-330

Excess, transferred to general fund—  
HB 191, page 73

**SPECIAL FEDERAL ADVANCE INTEREST REPAYMENT FUND**

Unemployment compensation, altered, to comply with—  
HB 177, pages 71, 84, 153, 533, 556, 603, act no. 84-73  
SB 164, page 671

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HR 73, page 197  
HR 86, pages 244, 246, 247, 248, 249  
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HR 108, page 427

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HR 157, page 591  
HR 189, page 736  
HR 190, page 756  
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HR 231, pages 979, 980  
HR 247, pages 1010, 1012  
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HR 276, pages 1133, 1134  
HR 280, page 1265  
HR 282, pages 1397, 1399, 1401, 1518  
HR 318, pages 1598, 1604  
HR 330, pages 1859, 1860  
HR 366, page 2087  
HR 383, pages 2175, 2179  
HR 396, pages 2351, 2353

## SPECIES BASILOSaurus CETOIDES

Ancient whale fossil, designated—

HJR 78, pages 218, 314, 320, 464, act no. 84-66

## SPROTT, DR. J. MICHAEL

Commended—

HJR 18, pages 46, 155, 170, 242, act no. 84-21

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Circuit court, record filing, regulated—

HB 643, pages 680, 790, 867, 2320, 2359, 2435, act no. 84-547

County officials, certain, additional expense allowance—

HB 331, pages 137, 159, 261, 533, 557, 603, act no. 84-75

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HB 330, pages 137, 158, 260, 533, 557, 603, act no. 84-74

Superintendent of education, board of education, members election regulated—

SB 597, pages 2142, 2143, 2161, 2339, 2387, act no. 84-452

## ST. JOHN, JR., FINIS EWING

Death mourned—

HJR 130, pages 481, 771, 799, 810, act no. 84-153

## ST. JOHN'S EPISCOPAL CHURCH

Commended—

SJR 230, pages 2108, 2188, act no. 84-338

## ST. PETER'S CATHOLIC CHURCH

Montgomery, commended—

HJR 203, pages 840, 913, 958, 989, act no. 84-183

## STANFORD, REGINA

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HJR 258, pages 1077, 1325, 1352, 1385, act no. 84-225

## STANLEY, BYRON F.

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Non-profit organizations to purchase goods from—

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HB 628, pages 677, 707

Rules or regulations that interfere with duly elected officials, guilty of obstructing governmental operations—

HB 69, page 17

Small businesses allowed to recover costs of defending against, upon prevailing in court—

HB 20, page 9

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SB 56, page 1059

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HB 44, pages 13, 293, 909

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**THOMAS, JR., FRANK P.**

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**THOMASVILLE HOSPITAL**

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SJR 233, pages 2112, 2188, act no. 84-335

**THOMASVILLE JUNIOR WOMEN'S CLUB**

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HJR 61, pages 174, 314, 320, 464, act no. 84-62

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Pickens County, tax levied for fire protection—

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**TRADE SECRETS**

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**TRADEMARKS**

Theft of, regulated—

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**TRINITY**

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**TURNER, MR. AND MRS. CHESTER**

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HJR 94, pages 408, 598, 602, 704, act no. 84-128

**TURNER, OLIVIA**

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**TUSCALOOSA ACADEMY BASKETBALL TEAM**

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HB 872, page 1374

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**TUSCALOOSA COUNTY ELECTED AND APPOINTED OFFICIALS  
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upon discharge, shall not be entitled to—

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## UNIVERSITY OF ALABAMA

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## UNIVERSITY OF ALABAMA-BIRMINGHAM

Basketball team, commended—

SJR 86, pages 520, 533, act no. 84-91

## UNIVERSITY OF ALABAMA-HUNTSVILLE

Hockey team, commended—

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## UNIVERSITY OF MONTEVALLO

Board of trustees, members increased—

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## UNIVERSITY OF NORTH ALABAMA

Board of trustees, members increased—

HB 729, page 859

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Board of trustees, members increased—  
HB 729, page 859

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Corporations operating an electric or hydroelectric facility, 2.2% tax—  
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84-206

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## VALLEY HEAD

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## VANZANDT, LENNY

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Deceased or disabled, educational benefits for children or wives or widows—

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HB 438, pages 237, 296

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SB 352, pages 1057, 1389

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## VOTERS AND VOTING

Absentee, time limit for, increased—

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## WAITES, RAMOND DAY

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HJR 8, pages 36, 41, 42, 82, act no. 84-2

## WALKER COLLEGE

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HR 394, page 2331

## WALKER COUNTY

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HB 636, pages 679, 838, 975, 2318, 2359, 2435, act no. 84-546

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Rebels, Commended—

HJR 129, pages 480, 771, 798, 810, act no. 84-152

## WALKER, MARIE

Commended—

HJR 264, pages 1114, 2190, 2204, 2297, act no. 84-347

## WALKER, MR. AND MRS. A. D.

Congratulated—

HR 170, page 694

**WALKER REGIONAL MEDICAL CENTER, INC.**

Congratulated—  
HJR 351, page 2051  
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**WALKER STATE TECHNICAL COLLEGE**

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HR 394, page 2331

**WALTHALL, THOMAS A.**

Commended—  
HR 342, page 1923

**WARRANTIES**

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HB 848, page 1113

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HB 372, pages 163, 296, 1829, 1830

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HR 166, page 692

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**WASHINGTON COUNTY**

Circuit clerk, expense allowance, provided—  
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HB 127, pages 29, 85, 149, 2316, 2357, 2435, act no. 84-535

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**WASHINGTON, JESSIE RUTH**

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**WATER AND SEWER BOARDS**

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established—  
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## WATER AND WATERCOURSES (Continued)

Wharves, municipal, bond issue, to construct—  
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HB 521, pages 418, 993, 1792

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punishment—  
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## WEAVER

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## WEIGHTS AND MEASURES

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## WEIL, NELLIE

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## WELCH, WILLIAM B.

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## WEST, KEITH LAMAR

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## WETUMPKA

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**WHARVES**

Municipalities to establish, authorized—

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HJR 152, pages 557, 771, 799, 811, act no. 84-162

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**WILDER, JOSEPH**

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**WILEY, DAN**

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**WILKES, MR. AND MRS. ROBERT C.**

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**WILLIAMS, NORBERT HERSHAEL**

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**WILLIAMS, RAY**

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## WINSTON COUNTY

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